

MINUTES OF THE 7<sup>TH</sup> MEETING OF THE NMSU FACULTY SENATE  
FACULTY SENATE CHAMBERS, GARCIA ANNEX  
March 4, 2010

Members Present: Erickson (Chair), Andersen (Vice Chair), Bailey, Baker, Baptiste, Blank, Bosman, Brown, Buckholz, de Boyrie, Chaiken, Chung, Dean, Dormody, Erben, González, Hampton, Hardee, Holtzman, Huang, Hubbell, Huttlinger, Jimenez, Ketelaar, Knight, Kozel, Lopez, Mathis, McCormick, McNeel, Montañez, Morrell, Munson-McGee, Murrell, Nishiguchi, R. Oliver, Osanloo, Rayson, Reyes, Stanford, St. Hilaire, Teich, Thompson, Torres, Walker, Weisiger, Wojahn.

Members Absent: Amato, Bloomquist, Bugbee, Fitzpatrick, Idriss, Ni, K. Oliver, Oretskin, Ranade, Rice, Schultz, Whittlesey-Jerome.

Ex Officio Members Present: Jordan, Chappell.

Guests: Carleen Cirillo, NMSU Bookstore General Manager; Mark Kerin, Barnes & Noble Regional Manager; Hank Strevel, ASNMSU Representative to the FS; Liz Miller, Library.

1. Call to Order

The meeting was called to order by Chair Erickson at 4:03 pm.

2. Recognition of Guests

3. Speakers: Interim Executive Vice President/Provost Jay Jordan; Mark Kerin, Barnes & Noble Regional Manager, and Carleen Cirillo, NMSU Bookstore General Manager

A. Dr. Jordan reported that the legislature is still working on the budget which is far from settled. Department heads are meeting with their faculty planning possible adjustments to all issues affected by budget cuts, and he urged all senators to participate and contribute to these planning sessions. There is no easy way out: budgets will have to be cut and we must find the least harmful ways to do these.

B. Mr. Kerin said that with almost all colleges/universities facing budget shortfalls Barnes & Noble is also trying to reduce textbook costs with increased use of used books, text buybacks and more digital availability. Information on an expanded rental program will be introduced around May 1 offering textbook rentals at up to 45% off price. Students can order their textbooks when they register; the form will be online with the registration form.

Ms. Cirillo discussed B & N's participation and compliance with the Higher Education Opportunity Act (HEOA) (handout distributed earlier on the FS listserv, Appendix A). The new law requires that ISBN number be provided to students on line. Publishers must inform bookstores of books' costs plus bookstore markup (30% to 40%). Financial Aid has raised the textbook allowance. Online registration integration proves a link to the bookstore to see which texts will be needed and the formats available. Fall book requests are due from faculty by April 8. Used books will be discounted 30%. Construction on the new bookstore will take about 15 months and completion is scheduled for August 1, 2011. In discussions senators expressed dissatisfaction with the April 8 deadline (too early) and publishers' minor cosmetic adjustments to textbooks requiring that new ones be purchased each year. She said

B & N is making every effort to improve their operations and lower costs, and emphasized her availability to faculty to discuss textbook issues.

#### 4. Approval of Agenda

Chair Erickson announced that Senator Weisiger brought and distributed a proposition, #13-09/10 A Memorial Calling for NMSU to Stop Funding the Athletic Program with Instruction and General Funds [I&G] (Weisiger, Brown, Hubbell, A & S), asking that it be considered as emergency legislation. After asking the FS's approval to add it to the agenda, lengthy discussions followed; most were concerned with the NMSU Intercollegiate Athletic Program 2009 Budget statement attached. Senator Holtzman said that we don't know the budget details yet and therefore aren't in a position to know amounts distributed to the Athletic Department (AD); Chair Erickson said he has been talking to Jennifer Taylor but she doesn't have those figures yet. Dr. Jordan noted that [in this period of financial shortfalls] some way must be found to retire the Athletic Department's debt, and he thinks the president might not support deficit spending in the AD in the hope that someday soon we will have winning teams. Dr. Erickson questioned if the figures for 2009 would hold true for 2010, and even 2011; he expressed concern that some of the AD's revenues come from ING funds; Dr. Jordan said he had not seen a breakdown of the Direct Institutional Support amount, but did know that some athletic facilities do receive ING funds because academic instruction occurs there.

Chair Erickson reminded the FS that passing emergency legislation requires a yes vote from  $\frac{3}{4}$  of the FS present and voting, and that if EL is placed on the agenda it can be later sent to committee after discussion. Asked if revisions could be made, he replied that they can during the discussion once it is introduced. Co-sponsor Brown suggested that the timeline is such that by considering this memorial at the next FS meeting we might then have information on the budget details. Dr. Jordan said the FS may want to call a special meeting to discuss budget details once they become available. An example of the concerns the FS may want to consider at such a meeting is the issue and cost of the "free course": tax ramifications, 2 free courses per semester + 1 summer course not quite free, the cost of a course; this issue presently goes to the Employee Council, but he and Chair Erickson agreed the FS should also be involved. Co-sponsor Weisiger suggested that this memorial could be tabled; Chair Erickson responded that he prefers the bill be handled today as the April and May agendas will be very large, and discussion could continue and wording be changed once the bill is accepted for consideration on the agenda.

The question was called, and the motion to consider this bill as EL carried by a hands-count of 37 in favor. (36 were needed). The agenda was then unanimously approved as amended with this proposition placed under "Unfinished Business".

#### 5. Approval of Minutes of February 4, 2010, Faculty Senate Meeting

The minutes of the February 4, 2010, Faculty Senate meeting were approved as distributed.

#### 6. Reports of Officers

##### A. Chair's Report

Chair Erickson said that he hasn't yet sent his report out on the listserv, but noted that in the faculty meeting held earlier with President Couture she estimated a budget cut of 12% in our 2010 base extending to the new year 2011; this would be a permanent cut. Dr. Jordan said he

has reissued the 2009 base budget, asking the deans to review all the lines to make sure they are correct and to look for ways to cut. This year we lost our "growth money", so the legislature took the amount we earned last year from our budget this year and distributed it to those schools that did earn growth money this year.

## B. Vice Chair's Report

Vice Chair Andersen reviewed his report sent earlier on the FS listserv. He emphasized the importance of submitting nominees to the Appeals Boards to him, and submitting nominees for new senators 2009-2010 to your Senior Senator; nominees for new College Track senators are to be submitted directly to him. The list of senators whose terms are expiring in May 2010 will be sent out soon. (Appendix B)

## 7. Reports of Standing Committees

- A. Faculty Affairs: William Storm, Chair
- B. Long Range Planning: Stuart Munson-McGee, Chair
- C. Scholastic Affairs: Tracey Thompson, Chair
- D. University Affairs: Harry Hardee, Chair

Chair Erickson said that since none of the standing committees met last month, in the interest of time these reports of "no report" be considered accepted; the FS agreed.

## 8. Other Reports

- A. Senator Nishiguchi, FS representative to the Campus Planning Committee, reported that the committee had approved the plans for renovations for the Student Health Center located at the NW wing of the current SHC. The addition will include space for a new pharmacy and lab areas. The pharmacy will also include additional "over the counter" products, as well as the availability for faculty/staff/students to get their prescriptions filled on campus instead of going off campus to a local pharmacy; the cost will be a few \$\$ more but will save the time of going away from the health center for prescription refills. There will be one large waiting room for staff/faculty/students as well as two separate private spaces adjacent to this main area (one for faculty/staff, the other for students) for those concerned about privacy. The x-ray area will remain the same size, but it is an addition for faculty and staff since there are no x-ray facilities at the present Genesis Center.
- B. Senator Kozel, a member of the New Health Center Planning Committee, reported that an open meeting will be held at 6:30 pm this evening and urged senators to attend; Dr. Web will discuss arrangements in the NHC.

## 9. New Business

Proposition 12-09/10: A Memorial Concerning the Establishment of an Office of Service Learning (Osanloo, Education; Schultz, CHSS; Oliver, Business) [including 4 attachments] was introduced by Senator Osanloo. Chair Erickson said President Couture has explicitly charged him and the FS to evaluate what we want to do with Service Learning, and is very interested in our opinions. He noted that some of the provisions in this memorial may not be acceptable to all senators, and emphasized the importance of attending the committee meeting where these concerns will be discussed and, possibly, the language could be changed and/or

amended. CCs are also affected by this proposed legislation. Assigned to the Scholastic Affairs Committee which will meet March 16. (Appendix C)

## 10. Unfinished Business

Proposition 13-09/10: A Memorial Calling for NMSU to Stop Funding the Athletic Program with Instruction and General Funds (Emergency Legislation) (Weisiger, Brown, Hubbell, A & S) was introduced by Co-sponsor Weisiger. She said this memorial came out of a History Department Faculty Retreat last week at which they saw that a 6% budget cut would eliminate their college faculty and entire operating budget. They looked at previous years' budgets from before and after entering the WAC and saw that our Athletics Department budget had more than doubled since we entered the WAC. After seeing an article in *USA Today* about NCAA budget figures, she called Jennifer Taylor for confirmation of these figures and was told that our athletics budget showed \$14.5 million in unrestricted revenues and \$.5 million in restricted revenues, and that the BOR had mandated that 25% of this athletics budget be funded from I&G funds. She then called NCAA and upon request was given the tables attached.

Senator Lopez said that "*college*" and "*terminate*" should be eliminated from the 2<sup>nd</sup> paragraph, or reword that paragraph, as he has seen nothing in the College of Education budget indicating that College Track faculty would be terminated. Chair Erickson said it has not been ruled out that there will be no faculty and staff cuts, but he would guess that there will be no faculty cuts including College faculty. Co-sponsor Brown suggested that the bill be reviewed by a FS committee when more budget figures are available. Senator Thompson said when the Core College Faculty members met with HR they were told any cuts would not be made across the board but would be made by department.

Senator Holtzman proposed 2 friendly amendments: a) in the second paragraph change the word "*would*" to "**may**"; this was accepted by the sponsors; and b) remove the fourth paragraph.

Senator Ketelaar proposed an amendment to Senator Holtzman's 2<sup>nd</sup> amendment which would retain the fourth paragraph but delete "25" and replace with "**a substantial**" and delete "*amounting to \$7 million in 2009*". This amendment was approved unanimously by voice vote.

It was suggested several times by several senators that the AD be asked for input. Many senators were opposed to this. Senator Bosman noted that during Dr. Boston's presentation to the FS earlier this year he explained his budget and his figures were lower than those shown on the attached tables.

Two senators spoke in opposition to the memorial noting that a number of athletes have come here because our membership in the WAC makes them more visible; athletics is a very important part of many students here, and cutting the AD budget would be detrimental to many students and to our image.

Senator Brown proposed changing "*Instructional and General Funds*" in the fourth paragraph to "**Direct Institutional Support**"; this amendment was accepted by unanimous voice vote.

Senator de Boyrie proposed a friendly amendment to delete "*as well as by the Regents*" [in paragraph 6 (i)] which was accepted by the sponsors.

Senator Ketelaar proposed an amendment to the sixth paragraph to delete "*put*" and replace with "**considers evaluating the benefits of placing**" and adding "**more**" before "self-supporting". During the following discussion, Co-Sponsor Weisiger expressed concern that the memorial might be "watered down" or its intent distorted. The amendment passed by a hands vote of 25 in favor, 14 opposed and 4 abstentions.

Senator Bosman commented that those concerned about cutting financial support to student athletes should note that the attached budget shows \$5 million in student aid, and if you're concerned about that being 25% of the budget, the Library is taking a 27% cut in your journals which directly affects our core mission of teaching and research, and athletics does not affect our core mission.

It was suggested to change "*Instruction and General Funds*" to "**Direct Institutional Support**" throughout the memorial, but after discussion that was not accepted.

The motion to approve the memorial as amended carried by a hands vote of 34 in favor, 10 opposed and 1 abstention.

## 10. Unfinished Business

In response to a question regarding the status of the Pornography Task Force legislation, Chair Erickson reported that the proposed legislation is making its way through the proper councils.

## 11. Other Business

### A. Selection of One Faculty Senate Representative to the University Budget Committee

Senators Anne Hubbell and Loui Reyes volunteered to serve on the UBC. Both gave brief summaries of their qualifications and desire to serve on this committee. The FS agreed on a hands ballot rather than paper ballots. The first vote was tied at 20-20. The second vote was Reyes 21, Hubbell 19. (The candidates, who had left the room, were given an opportunity to give their votes to the Recording Secretary; both declined to vote saying they would accept the vote of the other senators.)

### B. Nominations of New Members and Alternates to Two NMSU Appeals Boards:

- a) Faculty Salary Review Board: one regular member and one alternate member, 3-year term 2010-2013.

Nominees: No nominees.

- b) University Appeals Board: two regular members and one alternate member, 3-year term 2010-2013

Nominees: Uma Krishnan (ACES)

Chair Erickson said he would send out by email another request for these nominations.

12. Announcements

A. Notice of Elections of New Faculty Senate Members For Next Year

Vice Chair Anderson reminded the FS that elections for next year's senators are to take place in March. Each college elects its own senators, so nominations are to be submitted to the Senior Senator for each college; nominations for College Track senators are to be submitted to him.

13. Adjournment

The meeting adjourned at 5:40 pm.

Respectfully Submitted,

Anne Meek  
Faculty Senate Recording Secretary

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Christopher A. Erickson, Faculty Senate Chair

Date