

**UNIVERSITY OF MASSACHUSETTS AT AMHERST
OFFICE OF THE FACULTY SENATE**

MINUTES: Presiding Officer Frank Hugus called the 601st meeting of the Faculty Senate to order on February 14, 2002 at 3:30 p.m. in Herter Hall 227.

A moment of silence was observed in memory of Professor Emeritus William Rupp who died February 7, 2002 in a fire at his home.

A. ADDRESS BY REPRESENTATIVE STEPHEN KULIK--"MASSACHUSETTS FISCAL OUTLOOK AND PROSPECTS FOR PUBLIC HIGHER EDUCATION"

Representative Kulik's address can be viewed in its entirety on the Faculty Senate website at www.umass.edu/senate/kulik_address.pdf

Senator Ronald Story asked Representative Kulik if the legislature has heard from the University's Board of Trustees on behalf of the institution given the current fiscal situation.

Rep. Kulik answered that in his 8 1/2 years in office he has never been visited or called by a member of the BOT to advocate on behalf of the University. He believes that the current Board is unresponsive and lacking a role of advocacy for the system. He urged the University community to encourage the Board to "lead the charge" by going to the Statehouse and telling the University story.

Dean Stephen Gehlbach asked Rep. Kulik to comment on the new proposal for the state lottery.

Rep. Kulik stated that Governor Swift proposed to reduce the payout of the lottery, and therefore increase local aid. However, many people argue that if you reduce the payout for winners, there will be fewer players and decreased revenue. Currently in Massachusetts, approximately \$600 per person goes into the lottery every year.

Dean Glen Gordon asked what changes the Chair of the Public Service Committee is considering regarding the Early Retirement system.

Rep. Kulik stated that the Chair is aware of the impact of Early Retirement on Higher Education, and is open to making some changes. Rep. Kulik then asked Dean Gordon to put in writing the impact Early Retirement is having on his department so that the Chair could get an idea of the problem.

Senator Joseph Donohue asked, in light of the current University Library budget cut, if it would be possible to change the funding for the Library from a line item in the budget to part of the total funding for the University.

Rep. Kulik stated that he'd be happy to work with Margo Crist, Director of Libraries, to pursue that goal if it's what's in the best interest of the University.

B. BYLAW CHANGE

Special Report of the Council on University Service, Public Service and Outreach concerning A Bylaw Change, as presented in Sen. Doc. No. 02-007 with Motion No. 07-02.

MOVED: That the Faculty Senate approve the Bylaw Change, as presented in Sen. Doc. No. 02-007.
07-02

A motion to use a voice vote rather than a written ballot was seconded and adopted.

Motion 07-02 was seconded and adopted.

C. NEW BUSINESS

- 1. Special Report of the Academic Priorities Council and Rules Committee concerning Procedures to be Followed in the Merger of Academic Programs, as presented in Sen. Doc. No. 02-022 with Motion No. 17-02.**

MOVED: That the Faculty Senate adopt the Procedures to be Followed in the Merger of Academic Programs, as presented in Sen. Doc. No. 02-022.
17-02

This motion was seconded.

Senator Donohue asked if it would be appropriate to propose a longer time interval for personnel negotiations in this procedure.

Faculty Senate Secretary Ernest May stated that the given time interval was taken from the Procedure for the Termination of Programs. Further, matters related to employment are largely covered by the MSP contract, so there is union protection.

Senator Story stated that he supports the motion because it enables a merger to be initiated from the bottom up--an appropriate thing right now. He added that if there were to be dramatic changes in the working conditions of faculty, the MSP would act upon that.

Senator Maria Tymoczko asked if the "proposal" mentioned in the document was to be a written document rather than just a statement. She then made a motion to insert the word "written" before the word proposal in three places within the document.

The motion to amend the wording in the document in three places by inserting the word "written" was seconded and adopted.

Senator May: This is just one in a range of options which exist for reconfiguring, restructuring, or reordering the academic units on the campus. The last time we went through an Academic Program Review, we suspended the rules and put forward a large-scale Academic Program Review planning process which was all brought to the Faculty Senate and resulted in some action to which no particular process was applied. Now, I would say that in an emergency situation or in a moment where this body decides to suspend all the processes, that it would be possible to follow an ad hoc process rather than the regular process. This is meant as a "business as usual" process in normal times. We can start new programs, we've got a process for that, we can terminate programs, we've got a process for that. We can also merge them, and this is a process for that. It's one more tool in the arsenal for the management of campus.

Senator Tymoczko stated that the timetable for the procedure seems rushed, and was concerned that this type of change could be sprung upon a group of departments that would only have 30 days to respond. She then asked what the phrase "consideration of issues of governance" means.

Secretary May responded that the timetable of the procedure is advisory rather than prescriptive. It is intended as a framework that will include flexibility when necessary. He then explained that "issues of governance" is intended to mean how units will be managed once they have been merged, and how they will be structured administratively.

Senator Richard Bogartz stated that in the Academic Priorities Council Meeting and in the subcommittee of the Rules Committee, they thought there should be a normative way of handling mergers following this schedule.

Secretary May stated that the Senate did a count of departments that were approaching going under 7 faculty and under 10 faculty last Fall. Without mergers, those departments are in danger of going the route of Consumer Studies, because if they lose a few faculty members they cannot deliver their curriculum to their students. Mergers are a joint enterprise, and allow for both administrators and faculty to have their say.

Senator Donohue stated that he was confused by Senator Bogartz's earlier comment. He asked for further explanation.

Senator Bogartz explained that given the present financial situation, it may be necessary to do things faster than this schedule would allow for. In that case, an expedited schedule would have to be followed.

Senator Tymoczko pointed out some implications of approving the merger procedure. She stated that providing a procedure for merging would also provide the administration with the prerogative to merge departments when those departments might not necessarily be willing to do so.

Senator Brian O'Connor noted that he has experienced and witnessed mergers of departments before, and can see some flaws with the procedure, but also thinks it will give the faculty a tool to begin to communicate with other departments when it comes time to use such a procedure. He then stated that he was in favor of the document because he feels that it would offer more protection to the faculty than they had in the past.

Senator Marta Calas stated that the proposal seems like a reaction to an imminent situation. She suggested that there are many reasons why merging, on the basis that it makes sense from the administrative point of view, may make no sense academically.

Senator Tymoczko asked what kinds of final offers, as mentioned in section 2.9, were made to faculty members as a result of past mergers.

Secretary May stated that section 2.9 may have less relevance to a merger process than to a termination process. He stated that in a merged department, a faculty member might be better off going to some other unit. There might be situations in which some negotiations would have to take place.

Senator Jack Tager spoke in support of the document, stating that this is a frightening time for the University, and this document is suggesting that the administration consult with the faculty before taking any action with regard to departments.

Associate Provost Bryan Harvey: It's certainly true from listening to the conversation that there are some points that aren't completely clear. I think that the idea that there ought to be some formalized way of thinking about the merger question was something that some members of the Council and Rules Committee thought was very important. It's also been said that there's a common understanding that the nature of the situation that we're currently in may require us to act in more expeditious ways and to bring a package of actions before the Senate much as was done in 1995 and 96. If that's the case, then we'll have to think if that was the right way to proceed. To think that underlying all of this is the understanding that the procedures we currently have for termination and reduction were written a long time ago in a different time.

The termination policy of 1991 has never been executed in accordance with its intention since 1991. All subsequent terminations have happened in some other way. There's a message perhaps in that. The reduction policy, adopted a year after, has never been implemented, even though reductions of the kind it envisioned have occurred routinely over the years. Somewhere in all of this there's a question about how we should think about the way in which we adapt to changing circumstances. How do you think about whether the best course of action to maintain strength in a program is a merger or reduction is a hard question that we hope the planning process that Ernie mentioned will shed some light on. Keep in mind that the document before you has no

definition of what a merger is. Is it a transfer of a degree program? Is it the combination of two existing programs into some new entity? Is it the subsummation of an existing degree program into a concentration perhaps? It doesn't quite say.

We decided that it made no sense to try to solve all of those problems while we were also dealing with immediate needs of how to proceed on the campus with the current crisis. So, perhaps the best thing we could do would be to agree, at least for the moment, that we could add to the existing unsatisfactory policies another that does its best, recognizing that we could improve on all of them once we get a chance to see where we're going. We could then proceed with the larger question of how are we going to, over the next 6-12 months, sort out what to do with the devastating loss of faculty and resources that we're experiencing. It may very well result in yet another episode in which we all come back to the Senate with a plan that hasn't gone through this clock or that clock, but rather represents the common wisdom and experience of all of us that are working on it.

Senator Bogartz stated that it is useful to distinguish between programs and administrative entities like departments, and that merging programs is different from merging departments.

Senator Story stated that with millions of dollars in cuts during this fiscal year, the University is facing a difficult time that won't be going away soon. He then explained that when Consumer Studies was eliminated, it was not easy to salvage the jobs of the faculty. Politically and legally, it was complicated, and he thought the new set of procedures would make the process less difficult.

Motion 17-02 was adopted as amended with one objection.

2. **Special Report of the Program and Budget Council concerning The Budget for Intercollegiate Athletics on the Amherst Campus, as presented in Sen. Doc. No. 02-023 with Motion Nos. 18-02 and 19-02.**

MOVED: 18-02 That the Faculty Senate reaffirm that, while the University of Massachusetts Amherst promotes excellence in all of its programs, the academic mission is primary.

This motion was seconded and adopted.

MOVED: 19-02 That the Faculty Senate recommend that the subsidy for the Intercollegiate Athletic Program at the University of Massachusetts Amherst, including fees and allocations from the campus budget, be reduced by \$1 million over the next four fiscal years, to be monitored by the Athletic Council and the Program and Budget Council, with annual reports to the Faculty Senate.

This motion was seconded.

Interim Chancellor Marcellette Williams stated, as she has said before, that no program is exempt from the types of reviews and considerations mentioned in the motion, and that the administration is in the process of implementing a new related plan that she hopes to provide the specifics of in the coming weeks.

Senator Robert Levin moved to amend the motion by adding the sentence: "This motion is applied primarily to those intercollegiate athletic activities with the largest budgets and no existing intercollegiate athletic activities are to be eliminated as a result of this motion."

This motion was seconded.

Secretary May moved to amend the amendment by striking the second clause from the amendment "that no existing intercollegiate athletic activities be eliminated as a result of this motion."

The motion to amend the amendment was seconded and adopted.

Senator Tager spoke against the motion, suggesting that it is far too critical of the Athletic Program's ability to manage a budget cut. He added that the Program and Budget Council is concerned with budgets, not with the quality of programs.

Senator O'Connor stated that he's sympathetic to the motion, but agrees that it is not the Senate's place to tell the Athletic Council which sports to cut and which to keep. He hopes that cutting certain sports will draw some attention from the Trustees so that they might take action or come to campus to talk about the situation.

Senator Story spoke in support of the amendment. He stated that he's heard from many constituents on the issue of athletics, and that this would be a good cost-saving measure during the current fiscal crisis.

Senator Chilton explained that his support of the amendment was in no way intended to suggest distrust of the Athletic Department, or to try to tell them what to do. He saw it as a way for the Senate to indicate a sentiment as to what the department *might* do.

Professor Patricia Vittum spoke against the amendment, suggesting that it would "tie the hands" of the Athletic Department when they were trying to make decisions about their budget reduction. She stated that the Senate needs to trust the Department to handle the reduction themselves.

Senator Robert Wilson spoke against the amendment stating that he wouldn't want the Athletic Department to try to tell an academic department how to manage a budget cut.

The motion to amend the main motion failed.

Senator Surinder Mehta moved to amend the main motion to change \$1 million to \$2 million.

The motion to amend was seconded.

Senator Moore stated that the Program and Budget Council picked the \$1 million figure to demonstrate to the Administration that they're asking for a significant reduction.

Senator Donohue suggested that the \$1 million figure, \$250,000 per year, doesn't send a very strong message considering its football program is losing millions per year.

Senator Tymoczko: stated that the \$1 million reduction out of the current \$18 million budget is a modest cut totaling 6%.

Senator Wilson asked if the cut was intended to be \$1 million-per-year or \$1 million each year over the next four fiscal years.

Senator Moore answered that the intention was for \$1 million phased over four years.

Senator Story: I was going to raise the number to \$3 million, but since this is all fantasy anyway, and since the Athletic Department has not the slightest interest in our views on this, I think it's fine to go with \$2 million.

Senator Tager moved to call the question.

This motion was seconded and adopted.

The motion to amend the main motion was adopted.

Motion 19-02 was adopted as amended.

D. ANNOUNCEMENTS

1. The Secretary of the Faculty Senate

Secretary May: The wolf is no longer at the door, it's in the house.

2. The Chair of the Rules Committee

Rules Committee Chair Roland Chilton stated that the Rules Committee would be inviting the Chancellor to present a report on the fiscal crisis at the next Senate Meeting.

3. The Representative of the Massachusetts Society of Professors

MSP President Ronald Story urged all present to pick up and look at the flyer at the back of the room: *UMass on the Brink*. It's a flyer put out by the MSP to convey the magnitude of current challenges resulting from the fiscal situation.

The 601st meeting of the Faculty Senate stood adjourned at 5:58 p.m. February 14, 2002.

Respectfully submitted by Ernest May, Secretary of the Faculty Senate.

The Proceedings of this meeting are available on audiotape at the Faculty Senate Office dated February 14, 2002.