

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

**MINUTES: Presiding Officer Jerome Mileur called the 613<sup>th</sup> meeting of the Faculty Senate to order December 19, 2002 at 3:30 p.m. in Herter Hall 227.**

**A. ADDRESS BY SENATOR STANLEY ROSENBERG**

I know that Representatives Kulik and Story have been before you recently. Therefore, the foundation of the fiscal picture has been laid by their comments at these meetings previously, so I will just bring you up to date about what's happened in the last few weeks.

Since the last of those representatives spoke to you, another \$60 million or so has been cut from the budget by the Governor using 9C powers. This past Monday, I had the opportunity to meet with Mark Montigny, the Senate Ways and Means Committee Chair. As I was going into his office, coming out was Governor-elect Romney, Mr. Kriss, the Secretary of Administration and Finance designate, and the Legislative Director Ms. Gillespie. In that quick exchange, and then confirmed separately in my conversations with Senator Montigny, the figure that they're bouncing around as remaining '03 fiscal problem is in the \$500-800 million range. This means that when Governor-elect Romney is Governor Romney, he and the legislative leadership and the members of the Legislature and his administration will have to agree on how to close the remaining \$500-800 million problem for the current fiscal year. The projections for the next fiscal year, '04, are in the range of \$2 billion. There is general agreement at this point on that figure. It wasn't but 3 or 4 months ago that the figure was a projected \$1 billion, and then it moved up to \$1.5 billion about 6 or 8 weeks ago. Now all of the fiscal watchdogs and experts inside and outside of government are in general agreement that we're looking at about \$2 billion.

You may recall, those of you who were here to witness it ten years ago, that the last fiscal crisis lasted four years. Initially there were cuts done across the budget here and there. There were lots of so-called discretionary programs that were cut, and then finally in the third year of the budget problem, we cut healthcare. In the fourth year we cut local aid. When we cut local aid, we cut by 1/3. If you look at what's happened so far in the roughly two years of this fiscal crisis, we have cut every discretionary program to some extent and most of them rather severely already. Cuts done by the Legislature, with the Legislature's involvement, total about \$1.6 billion. The governor has done about \$260 million unilaterally now, so it's bringing it up to about \$1.8 billion. We're only in the second year of the fiscal crisis, and we cut 50,000 people off of health insurance. So, what took us until the third year to get to, we're doing in the second year. Next year you can count on some very serious cuts to local aid. This year we just nibbled around the edge. Next year, as we prepare the budget in 90 days or so from now, you'll start seeing reports of cuts that are going to range somewhere between 10 and 20 percent.

In terms of things other than cuts, the only serious discussion at the moment is expansion of legalized gambling in the state. That would mean slot machines at racetracks and casinos. That will not close the \$2 billion dollar hole. Governor-elect Romney has yet to give any indication that he would consider any tax increases. He feels we can manage and cut our way out of this by getting rid of inefficiency, waste, fraud and abuse and programs that are no longer needed. Hard to imagine you can find \$2 billion worth of that or even \$1 billion, but that's his goal: to solve the problem without raising any taxes.

*Senator Eric Einhorn* asked, in terms of percentages, how far in debt the FY03 budget currently is.

*Senator Rosenberg* stated that the FY03 budget is about \$23 billion, and the state is in debt by about \$2 billion, totaling roughly an 8% deficit.

*Senator Roland Chilton* asked what it will take for the Governor to consider tax increases as a way out of the budget deficit.

*Senator Rosenberg* stated that others are already beginning to talk about tax increases, even though the Governor is not yet. He stated that he hopes Governor-elect Romney will at some point realize that a balanced approach to solving the fiscal crisis would be fair and reasonable and that citizens of the Commonwealth have been historically willing to support such an approach.

*Senator Joseph Donohue* stated that the Mayor of Northampton recently unsuccessfully sought to impose a meal tax as a way of combatting cuts to local aid. He asked if these types of attempts have any hope of being successful in the near future.

*Senator Rosenberg* stated that he hopes local option taxes will be approved by the Legislature and the Governor so that communities can use such options to increase revenue. He then stated that he has filed a generic piece of legislation so that any community could do so without coming to the Legislature.

*Secretary Ernest May* asked if there are any indications yet about how the Romney administration is going to handle the area of higher education.

*Senator Rosenberg* stated that there is a 3-page list of themes for higher education, the most significant proposals being tuition retention and the closing and merging of campuses at the state college level. He stated that much of the list was vague and obscure, so it's hard to know what the Governor really has in mind.

*Senator Richard Bogartz* stated that Senator Rosenberg's comments at a recent Massachusetts Society of Professors meeting regarding President Bulger's style and efforts on behalf of the University were very informative, and he asked that Senator Rosenberg repeat them to the Faculty Senate.

*Senator Rosenberg* stated that, as he explained to the MSP, he had at least six conversations with President Bulger on a strategy for trying to find a way to get UMass' contracts funded. He also told the MSP that everybody has their own individual styles for taking action, and that President Bulger, as the former Senate President, is used to only making one or two or three phone calls to get done what needs to be done. He has a lot of experience in collecting and using power. He uses the least amount of energy possible to produce the greatest result.

## **B.**

### **ANNOUNCEMENTS**

#### **1. Principal Administrative Officers**

*Chancellor John Lombardi* announced that he had attended a ceremony to celebrate the establishment of a \$1 million endowed professorship for Commonwealth College by Terrence Murray of the FleetBoston Financial Foundation. It's a rotating professorship that will be held by faculty in rotation to develop programs and support the activities of Commonwealth College.

*Vice Chancellor Joyce Hatch* announced that the Physical Plant would be initiating a critical classroom maintenance program that would continue through intersession. By the end of January, 43 classrooms will have been renovated in 6 different buildings: SOM, Flint Lab, French Hall, Chenoweth Lab, New Africa House and the Engineering Lab.

#### **2. The Chair of the Rules Committee**

*Senator Chilton* announced that there would be a report coming from the Health Council to the Faculty Senate in the spring semester. The report will focus on improving the smoke-free nature of the campus and cut down on the presence of second hand smoke.

## **C.**

### **QUESTION PERIOD**

**Senator Marta Calas** asked Chancellor Lombardi to respond to reports of the FBI interviewing professors on campus and his views on this issue in relation to academic freedom.

**Chancellor Lombardi:** As we all know, the FBI from time to time goes around and interviews faculty, neighbors, friends and so forth in order to get security clearances for faculty and staff who are either trying to get grants and contracts or trying to participate in research of one kind or another that requires it. The FBI also conducts investigations that are within their purview in the pursuit of fraud, crime, or whatever else, and some of those might impact on our faculty and staff and students for one reason or another. They might be witnesses or have other involvement in activities that fall in the purview of the FBI. So, when we talk about the FBI being involved on our campus asking questions, we want to be careful that we're clear about which kind of FBI activity we're concerned about.

We're also going to have some serious conversations over the next several years with various agencies of government questioning our faculty, staff and students about all kinds of issues related to national defense, security and all kinds of things that some of us will find pretty uncomfortable. When those activities take place, they're activities that worry us from time to time because we're not sure why they're asking and who's asking. However, under the current state of play in our country, those kinds of questions and that kind of investigation appears to be legal. It appears that it is activity taking place under the rule of law, and until somebody challenges it and we find those laws declared unconstitutional, I expect we are going to have that kind of activity.

The University is not to allow those kinds of conversations to impact the academic freedom of our faculty. Our faculty, staff and students have academic freedom. They have the right to talk about things in their classes and in the doing of their University duties that is appropriate, and we have a very strong commitment to that. If we see it violated, we will speak to that issue. Secondly, all of us have the right to free speech in this University. All of us have the right to hold whatever ideas we choose and to speak those ideas in appropriate ways without having them suppressed by anybody, whether it be the Chancellor of the University or anyone else. Therefore, we are very strong in support of free speech. I must say that, on occasion, on this campus, I have found sometimes less than enthusiastic support for the notion that everybody is allowed to speak their word without being shouted down or silenced by intimidating tactics, whatever the subject and whoever the speaker. The thing about free speech, of course, is that everybody has to be heard, and that even those who we detest or whose ideas we don't like have the same right to express them as those whose ideas we agree with. So, defending free speech is never easy because we have to listen to a lot of people we don't like, and we have to allow people to speak whose ideas are abhorrent. Nonetheless, if we're going to have free speech for ourselves, we have to have free speech for others.

Our police have a responsibility to work with other law enforcement officers in all kinds of contexts. Our police have arrangements and agreements to cooperate and collaborate in that activity. It's my belief that it's probably best for us to have those kinds of relationships and interactions and connections, because it allows us to have some kind of understanding of what's going on. There might come a time when the FBI doesn't want to collaborate with our police. We don't report to the FBI and they don't report to us. So, we will try to defend our rights and privileges. We will try to protect ourselves as best we can, but we have to recognize that this is not going to be easy over the next year or so, and we shouldn't try to imagine that this is an easy task when we're confronted with the kinds of challenges the nation is confronted with and the kind of temper that the nation has. And universities are easy targets. So we have to be strong for our academic freedom. We have to speak out on serious cases where we can really make our voice heard, and we have to be sure not to be distracted on cases that are not fundamental or significant attacks on our academic freedom or our freedom of speech.

**Senator Chilton** followed up on the discussion at the last Senate meeting of a letter sent by the Provost regarding a faculty member's failure to attend a sexual harassment information session. He asked where the attendance record for those meetings was being kept, by whom, and if it was to become part of faculty personnel files.

*Provost Charlena Seymour* stated that the letters sent out were meant to make people aware of the workshops being offered and to stress the importance of the issue. She stated that a packet was made for each faculty member, and that those who attended got their packets. A second letter was sent to those whose packets were left inviting them to the next information session, and then finally the last letter was sent with a new paragraph cautioning the absent faculty members about the implications involved if they didn't attend an information session. She stated that there was no secret attendance file or hidden agenda.

*Senator Donohue* asked how the Provost would know who did not attend the meetings if there wasn't an attendance record being kept. He asked where that list was.

*Provost Seymour* stated that she hasn't seen a list, but that she suspects there is a list of names of individuals who did not attend the workshops on somebody's desk. She stated that she didn't know what would happen with the names, but hopes that she won't have to refer to them again.

**D. SPECIAL ELECTION**

**One At-Large Member of the Rules Committee (For Spring 2003 Semester Only)**

**Nominee: Richard Bogartz, Psychology**

**There were no further nominations. Richard Bogartz was elected unanimously to the position of at-large member of the Rules Committee for the spring 2003 semester.**

**E. ANNUAL REPORT**

**Annual Report of the University Computer and Electronic Communications Committee, Academic Year 2001-2002, as presented in Sen. Doc. No. 03-012.**

*Secretary May* referenced a complaint listed in the report, pointing out that the Senate does not maintain an all-faculty email list, and that that list is maintained by the Provost's Office.

*Senator Chilton* asked whether or not the Committee has taken up the issue of the additional user fee for students to use computer facilities.

*UCECC Chair, Joseph Kunkel* stated that issue was discussed in detail, and that they hope to be able to discontinue the fee to allow for efficient functioning. The major issue with that, however, is providing the revenue to pay for the elimination of the fee.

*Senator Einhorn* stated that he has been receiving more junk mail since he switched from the UNIX system to the UMAIL system. He wondered if this problem was being considered.

*Associate Chancellor Rosio Alvarez* stated that they're in the process of installing a new version of UMAIL that will have filters to block junk mail.

**F. NEW COURSES**

**MOVED: 11-03 That the Faculty Senate approve the courses HRTA 317, 318, and 419, as recommended by the Academic Matters Council.**

**This motion was seconded and adopted.**

**G. NEW BUSINESS**

**Special Report of the Committee on Committees concerning Nominations to Faculty Senate Councils and Committees, as presented in Sen. Doc. No. 03-013 with Motion No. 12-03.**

**MOVED:**           **That the Faculty Senate approve the Nominations to Faculty Senate Councils and**  
**12-03**               **Committees, as presented in Sen. Doc. No. 03-013.**

*Secretary May* made a motion to amend the document by adding Professor Donald Gjertson from the Asian Languages and Literature Department to the membership of the International Studies Council.

This motion was seconded and adopted.

**Motion 12-03 was seconded and adopted as amended.**

**The 613<sup>th</sup> meeting of the Faculty Senate stood adjourned at 4:25 p.m. December 19, 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 December 19, 2002.**