Presiding Officer W. Brian O’Connor called the 711th Regular Meeting of the Faculty Senate to order on November 17, 2011 at 3:30 p.m. in Herter Hall, Room 227.

A. ADDRESS BY MICHAEL MALONE, VICE CHANCELLOR FOR RESEARCH AND ENGAGEMENT “RESEARCH AND ENGAGEMENT UPDATE” (QUESTIONS AND DISCUSSION TO FOLLOW) (See attached)

Ernest May, Secretary of the Faculty Senate, noted that he saw a presentation on the University of Massachusetts Innovation Institute (UMII) at a Board of Trustees meeting. He asked Vice Chancellor Malone to elaborate on the opportunities that the UMII will allow the University to take advantage of that it currently cannot.

Vice Chancellor Malone stated that private sector funding is a major opportunity that the UMII will help the University access. In AY 2009-2010, about seven or eight million dollars, out of $140 million of extramural funding, passed through a private entity. All but about one million of those dollars were passed through on a subcontract from a federal award, making it federal money. For an institution the size of the University of Massachusetts, one million dollars in private sector research support is very poor. The University’s Engineering Research Center illustrates other opportunities. The Center has been open for eight years. When all is said and done, the University will have received $40 million of NSF money and approximately $20 million in private sector funding. By regulation, the NSF is unable to fund programs longer than ten years. This Center is the type of applied program that should have a robust set of private sector partners stepping in once the NSF funding runs out. The UMII should assist in lining up this support.

Randall Phillis, President of the Massachusetts Society of Professors, applauded the efforts of Vice Chancellor Malone’s to support the faculty and free up the time of researchers. He likewise supports the expansion of the OGCA. However, he wondered how, under the new organization, resources will be distributed between central issues, like grant acquisition and compliance, and departments.

Vice Chancellor Malone expanded on his earlier comments on Research Business Managers. The idea of hiring these managers was suggested by consultants working at the University last year. Princeton University has tried it with great success. The directors will work within the schools and colleges and act as interfaces with the central operations. These individuals will work with department staff. If there were enough funds, it would make sense to put directors directly into departments—and some departments have already done this on their own initiative, though not every department has the resources to do so. Once the director is on board, six other individuals will be hired. This will be cost shared with the deans; 75% of the funding will come from the Office for Research and Engagement. These employees will be on the ground in the schools and colleges. The Executive Office for Administration and Finance (ANF) has done a census in every department to see who in the department was responsible for research support, and how much time they spent on it. Some departments that are very active in research are greatly lacking in support. When an individual spends five percent of his or her time on research support, that support will inevitably be subpar. Once this network of directors is in place, support will spread to the departments.

Vice Chancellor Malone publicly thanked Chancellor Robert Holub for his support and prioritizing of research advancement.

B. ANNOUNCEMENTS

1. Principal Administrative Officers

Provost James Staros updated the Senate on four ongoing dean searches. The search for the Dean of Engineering has reconvened. Announcements regarding the other three searches, for deans of HFA, SBS and the Graduate School, have recently circulated. Those searches will all be internal, and the committees for each of them will begin vetting candidates on December 1. Applications will remain open until each position is filled, but the University hopes to move the searches along rapidly.

2. The Secretary of the Faculty Senate

Ernest May, Secretary of the Faculty Senate, announced that a Committee of the Whole panel discussion of what intercollegiate athletic program is most suitable for UMass Amherst will take place at the December 1 meeting of the Faculty Senate. A motion relevant to the planned renovation of McGuirk Stadium will also be presented at that time.
At the last Faculty Senate meeting, UMass President Robert Caret mentioned his aspirations for UMass Amherst to achieve a number 25 or better in the *U.S. News and World Report* university ranking, as well as “AAU-like” status. The Ad Hoc Committee on Strategic Oversight will soon begin deliberating the steps that will be necessary to achieve these goals.

Some vacancies remain in the Faculty Senate Councils and Committees. Suggestions and self-nominations are always welcome. The Academic Matters Council is a workhorse council that deals with a great amount of course proposals, policy changes, new programs and revisions, and more members would ease the workload of the current members greatly.

The Chancellor’s Search Committee has scheduled an open input session for Monday, November 21 at 12 noon in the Massachusetts Room of the Mullins Center. That session will be followed by a meeting of the full Committee at 2:00 p.m. in the same location. Both meetings are open to the public.

Two more Faculty Senate meetings remain this semester, but Secretary May thanked the Senate in advance for all work that has already been accomplished.

4. The Faculty Delegates to the Board of Trustees

*W. Richards Adrion, Faculty Delegate to the Board of Trustees*, noted that two Board of Trustees Subcommittee meetings took place on November 16: the Advancement Committee; and the Committee on Academic and Student Affairs; the Committee on Science, Technology and Research meeting was canceled. There was an additional panel that included Provost Staros regarding PMYR and AQAD. Another discussion took place on concerns about duplication of doctoral degrees and the possibility of doctoral degrees at the state universities. The Board of Higher Education should have further information on that issue in the future.

5. The Representative of the Massachusetts Society of Professors

*Randall Phillis, President of the Massachusetts Society of Professors*, stated that negotiations for a new faculty contract will begin soon. A group of representatives has been very active in trying to design the principles that will direct the MSP’s positions. On December 1, there will be a general meeting of the MSP membership to vote on the principles. President Phillis encouraged all faculty to attend.

In collaboration with the MTA, and with special gratitude to Cynthia Baldwin, the ORP option has been built into the pension bill that was recently passed by the House and Senate, and which now awaits the Governor’s signature. The issue here is that many individuals—perhaps foolishly—signed into an optional retirement system that has not paid as well as it should have. Many face a situation in which it is financially unreasonable to retire. As a result of this legislation—which took ten years to negotiate—individuals have the option to buy back into the state retirement system and out of the optional retirement system. There are many constraints, but no legislation could have moved forward without the hard work of the MTA.

Finally, the Casino Bill contains dedicated funds for public higher education. Two months ago, it did not contain any money for higher education. The efforts of PHENOM have created as much as $20 million a year for public higher education in the state. It is a phenomenal political accomplishment. The bill includes explicit language that does not allow the money to act as compensation for decreases in general state funding to higher education.

C. QUESTION PERIOD (10-Minute Limit)

*Senator Frank Hugus* has been reading much about the planned cutback of ten percent in University Health Services. He is very concerned about this for the reasons that have been addressed by a number of individuals. He is moreover concerned, however, by a factor that has not received much attention: health services to international students and international scholars who will be more impacted than the general population. He wondered what input the Faculty Senate had concerning the decreased services, and if there had been none, he wondered if there were plans for the Health Council to discuss the developments in the future.

*Secretary May* stated that he was unable to attend the last meeting of the Health Council, but he did not see anything about decreased services in UHS on their agenda.

*Jean Kim, Vice Chancellor for Student Affairs and University Life*, stated that the needs of all the students on campus—including international students—were considered in the discussions surrounding decreases in UHS services. The changes
in the operational hours of UHS from midnight to 8:00 p.m. and to four-hour service days on Saturday and Sunday were based on the utilization of UHS by all students. The utilization does not justify the expense of keeping UHS open during those hours. The reduction in laboratory services will be “invisible” because the tests will still be done at UHS, only the behind-the-scenes operation will change. The closure of the pharmacy is not expected to impact students greatly because there are pharmacies very close to the University on the bus lines.

Secretary May stated that the Faculty Senate has primary responsibility in academic affairs and the administration has primary responsibility in budgetary affairs. The Faculty Senate serves an advisory role in budgetary issues such as this, but as far as he knows, there was no notice of service cuts to the Health Council. He believes that the students would have great interest in the decision-making process for these developments, but, as far as he knows, the decreases were announced to the students by the press.

Senator Richard Bogartz made a point of order on the way motions are put forth in the Faculty Senate. By simply stating, “Moved:” and then the motion, the Senate is removing the agency from the person presenting the motion. He believes that the Senate should return to following Robert’s Rules of Order by presenting motions with the statement, “I move” followed by the motion.

D. BYLAW CHANGES

Special Report of the Rules Committee concerning Bylaw Changes, as presented in Sen. Doc. No. 12-001C with Motion No. 02-12.

MOVED: That the Faculty Senate approve the Bylaw Changes, as presented in Sen. Doc. No. 12-001C. 02-12

(The final motion was read at the 710th Regular Meeting of the Faculty Senate, but was tabled until this meeting. The final vote will be taken at this meeting.)

The motion was seconded and adopted as amended.

E. ANNUAL REPORT

Annual Report of the University Writing Committee, as presented in Sen. Doc. No. 12-010.

Judith Holmes, Chair of the University Writing Committee, noted that the Committee had a very productive year. The Committee was charged with performing a quinquennial review of the First-Year Writing Program. An exhaustive review was conducted, with the conclusion made that the First-Year Writing Program is doing an excellent job of fulfilling its Faculty Senate mandate. The Writing Committee particularly applauded the funding provided by the Provost that allows all First-Year Writing courses to be taught in sections no larger than 15 students. Pedagogically, the Committee completely supports this move, although the Committee’s understanding of the benefits of the small course sizes remains anecdotal, as the review was conducted while the transition was taking place. Data on the successes of this transition should be available in the next quinquennial report. The Writing Program worked very hard with the Provost’s Office to ensure that the course size limits would be feasible. The Writing Program has identified two areas for improvement that need to be addressed. The first is keeping up with the ways new technologies are changing writing. This is an issue that affects not only the First-Year Writing Program, but the Junior Year Writing Program. As technology changes our disciplines, writing instructors need to think critically about the types of writing assignments they are giving their students to best keep them in line with the needs that the students will discover in their fields after graduation. This is not a problem that can be fixed with a one-size-fits-all solution. Instructors in all of these courses need to think about technology as they review their syllabi. In order for the First-Year Writing Program to do that, it needs resources to fund various endeavors, such as using computer labs and providing more human resources such as technical support. The other major challenge facing the First-Year Writing Program is the ever-increasing size of the first-year class. The individuals running the First-Year Writing Program handle the massive undertaking of educating the first-year class with great skill and humanity. Last year, there were about 4,000 students served by the First-Year Writing Program, and there were over 110 instructors delivering the 15-student sections. Professor Holmes believes the First-Year Writing Program is a terrific program that the University should be proud of. It is a bright star among the constellation of experiences for first-year students.

Additionally, the Writing Committee, last year, set up a process to initiate an online review of Junior-Year Writing syllabi. As it currently works, the chief undergraduate adviser in each department certifies to the Registrar which
courses meet the Junior-Year Writing requirements. This function used to be handled by the University Writing Committee. Over the years, it has migrated into the individual departments. The Writing Committee is now in the process of taking that responsibility back. A three-semester implementation beginning in the Spring will review all current Junior-Year Writing syllabi online. The idea is not to punish anyone, or be difficult, but to work with programs that may need assistance developing their Junior-Year Writing courses. The teaching of Junior-Year Writing, in times of economic difficulty such as these, can shift from instructor to instructor, often utilizing much work from graduate students and lecturers. The Writing Committee wants to make sure that the courses are fulfilling their responsibilities to the students. After the three-semester implementation, the Writing Committee will completely take over responsibility for notifying the Registrar which courses meet the Junior-Year Writing requirement. A luncheon was held last year for Junior-Year Writing instructors and deans to discuss the online submission process as well as the criteria that will be used to evaluate the syllabi. The individuals that attended the meeting had very positive thoughts about the direction the Committee was taking.

Secretary May congratulated the University Writing Committee, noting that it is impossible to read the Committee’s Annual Report without being proud of the way the Writing Program goes about addressing the monumental task of dealing with the over 4,000 first-year students that enter the University with a great variety of needs.

F. NEW COURSE

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<td>JOURNAL 330</td>
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MOVED: That the Faculty Senate approve the course JOURNAL 330, as recommended by the Academic Matters Council.

The motion was seconded and adopted.

G. NEW BUSINESS


MOVED: That the Faculty Senate approve the Changes to the Nutrition Major Tracks, as presented in Sen. Doc. No. 12-011.

The motion was seconded and adopted.


MOVED: That the Faculty Senate approve the recommendation of the Program and Budget Council regarding differential fees, specifically that: “A Dean of a school or college may submit a proposal for a differential fee increase to be added to the base tuition and fees cost for that school or college or for a major or other degree program within that school or college. A proposed increase should create a manifest benefit for the students and/or cover expenditures for purchasing or maintaining equipment or materials that are necessary for instruction. A proposal should also take into account market comparison and impact on recruitment,” as presented in Sen. Doc. No. 12-012.

Senator MJ Peterson proposed an amendment changing the word “should” in the second sentence of the motion to “must”; the sentence would appear as follows (change italicized): “A proposed increase must create a manifest benefit for the students and/or cover expenditures for purchasing or maintaining equipment or materials that are necessary for instruction.” She believes this would be consistent with the provisions put forth in the Program and Budget Council’s report concerning how proposals for differential fees would be reviewed.

The amendment was seconded and adopted.

Senator Curt Conner noted the overwhelming problem of crowding in Engineering. He currently has four times as many students in his laboratory courses as he had three years ago. He wondered if the differential fee money would go—in its entirety—back to the department proposing the differential fee or if it would be filtered through the administration and
believes that the language of the motion—particularly the section just amended by the Senate—disagreed with Chancellor Holub’s analysis. He believes the Chancellor forgot that this was an argument about differential fees. The Senate’s position is that 100% of the differential fees should go back to instruction in classrooms and laboratories. At this time, two differential fees exist, in Engineering and in the Commonwealth Honors College. Those fees are intended to be fully returned to each College. However, there have been suggestions from the administration that there be taxes on the differential fees at two levels. He asked for a comment from the administration concerning how they would handle differential fees. The Faculty Senate attempted to write funding language into the Integrative Experience document, but the administration claims that this language is not binding because the Senate does not have primary responsibility in budgetary matters. The Senate can make proposals, but the administration can do away with them. The proposed policy on differential fees would not be effective if it were taxed.

MSP President Phillis believes that the language of the motion—particularly the section just amended by the Senate—addresses the concerns that Senator Conner has expressed. He believes that Senator Conner’s concern about making sure the money is returned to improve the education of the student paying it is very legitimate. He also believes that the phrasing of the motion addresses it.

Senator Conner would like the language to be more explicit. The differential fees charged to Engineering students shows up in the department’s budget at a much lower level than what the students are actually paying.

Secretary May noted that the issue of differential fees has been greatly discussed in the Faculty Senate. The Senate’s position is that 100% of the differential fees should go back to instruction in classrooms and laboratories. At this time, two differential fees exist, in Engineering and in the Commonwealth Honors College. Those fees are intended to be fully returned to each College. However, there have been suggestions from the administration that there be taxes on the differential fees at two levels. He asked for a comment from the administration concerning how they would handle differential fees. The Faculty Senate attempted to write funding language into the Integrative Experience document, but the administration claims that this language is not binding because the Senate does not have primary responsibility in budgetary matters. The Senate can make proposals, but the administration can do away with them. The proposed policy on differential fees would not be effective if it were taxed.

Chancellor Robert Holub stated that specialized fees are a difficult issue. Currently, the $400 Engineering fee goes back to Engineering in its entirety. An argument could be made, however, that parts of those fees should go elsewhere at the University because Engineering students take courses all over the campus. It is not entirely clear to Chancellor Holub that there is one right or wrong answer in this circumstance. The fee that has been instituted in Commonwealth Honors College has been used to make up for a budget cut that took the $3.6 million that the state had allotted the University to fund CHC away. It would be difficult to know if the differential fees charged to CHC students go back to CHC in their entirety, but they have been able to operate the College after its entire budget was cut. Many courses taken by CHC students are not taught in the College. The debate over the dispersal of differential fees breaks down into a debate about funding the programs or the individual students paying the fees. Chancellor Holub does not believe it is not so simple an issue as to say the only right decision would be to make sure all the money goes back to the unit or classroom.

Senator M. Christine King acknowledged how difficult it is to maintain an adequate funding stream. However, she wished to speak against the proposed differential fee policy, believing it to be a de facto ten percent increase in tuition. She wondered what the incentive was for a school or college not to ask for a ten percent increase in fees. This proposal would incentivize every school, college and department to ask for a ten percent increase in fees that could cover financial aid, faculty hiring, equipment, technology, student services, et cetera. The danger is that this proposal would be a blanket increase in tuition and fees for students without a clear indication that that money will go back to the students who paid the fee. On the fourth page of the report, it states that the Provost’s Office will distribute collected differential fees to the relevant deans, who will then distribute them within the school or college, but Senator King does not believe that is a clear explanation of where the money will go. Her experience with Continuing and Professional Education revenue has been that not only are taxes put on the revenue, but that even after the taxes, the schools and colleges do not necessarily have a lot of control over the revenue. As a parent, she believes that—without incentives to keep departments from proposing them—the differential fees are just a sneaky way of increasing the cost of coming to UMass Amherst.

Senator Richard Bogartz disagreed with Chancellor Holub’s analysis. He believes the Chancellor forgot that this was an argument about differential fees. The Chancellor’s argument stated that students paying differential fees use services all over the campus, but all students—not just those paying differential fees—use services all over the campus. That logic may support an overall fee increase, but it does not support differential fees.

Senator Bogartz continued by offering another amendment, recommending that the motion’s first sentence read:

“A Dean of a school or college may submit a proposal on behalf of a department or program for a differential fee increase to be added to the base tuition of these costs for that school or college, or for a major or other degree program within that school college, such fees to be transmitted entirely to the department or program.”
MSP President Randall Phillis wanted to reinforce the notion that differential fees that are paid for particular fields of study must have a 1:1 correlation between the fee increase and the beneficial experience that is provided as a result. The University cannot generically raise fees for some and distribute those monies to others in any way that is anywhere close to being fair to the families and students paying the additional fees. If there is a special program that requires thousands of dollars of equipment, supplies, et cetera, then the differential fees are worth it. But the money needs to go there. President Phillis believes that the language suggested by Senator Bogartz is consistent with that theme. The money spent by the student must go to the instructional program that provides a benefit for that student. The principle must be that if the student pays extra money, he or she receives extra instruction.

Chancellor Holub noted that the University has done much research on differential fees over the past couple of years. The administration has not suggested any except the CHC fee, which is used to mitigate the large decrease in state funding to the CHC program. The differential fees only made up about one fourth of the $3.6 million that the state cut.

Three main rationales have been used across the country in support of differential fees. The first has been articulated here, and posits that there are special costs associated with particular fields of study that require extra resources. The second is that more earnings are attached to individuals entering particular fields of study that require extra resources. Average earnings for graduates of the Isenberg School of Management, for example, are greater than graduates of the College of Social and Behavioral Sciences, and therefore Isenberg may be able to articulate a case for differential fees. The third is similar to the first, and may, in fact, be the same. It is that instruction in certain fields is much more expensive than in others. In Nursing, for example, accreditation issues make instruction much more expensive, and also limit class sizes drastically. The cost per student is much more expensive than in other fields. Some argue that to require the same tuition costs of students in Psychology as in Nursing is inherently unfair. Chancellor Holub has no problem with the motion being put forth by the Senate. Deans have come forth requesting differential fees in the past, though the University did not feel that it was wise or fair to students to allow differential fees to be approved last year in light of the 7.5 percent increase in the curriculum fee. Differential fees must be approved by the President of the University of Massachusetts and reported to the Board of Trustees.

Secretary May stated that there was much discussion about differential fees. The administration has exercised its right to create differential fees. The CHC fee is not based on the first criteria that Chancellor Holub put forth, but on the third, increased cost of instruction. The proposals being discussed in this motion will come from the bottom up, not from the top down. The focus is only on the first of the criteria mentioned by Chancellor Holub, an increase in materials or other costs at the ground level that are not accounted for in the University budget. This motion will provide a pathway for departments to suggest increased fees. The report notes that one of the most commonly exercised differential fees is in the arts programs where departments ask for fees to cover materials. When budgets are cut, often, the first things to go are budgets for instruments in Music, supplies in Art, and costumes and sets in Theater. Fees to maintain instruments are common in music departments around the country. The arts fee is incredibly common and relates directly to unique additional costs in the instruction of certain subjects, which is best witnessed from within the classroom.

MSP President Phillis called the question on the amendment being discussed.

The amendment was adopted.

Deputy Chancellor Todd Diacon noted that he served on the Joint Task Force on Curriculum, Credits and Costs during the 2010-2011 academic year. The Task Force broke into two groups, one studying differential fees and the other (on which Deputy Chancellor Diacon served) studying fees for course withdrawals, credit overloads and other related issues. He wondered if this motion emerged from that Task Force.

Secretary May stated that the motion did emerge from the Joint Task Force on Curriculum, Credits and Costs. A Final Report from the Task Force was submitted to the Program and Budget Council which then reviewed it and put forward this motion.

John Lenzi, Co-Chair of the Joint Task Force on Curriculum, Credits and Costs, noted that the Task Force submitted recommendations to the Faculty Senate, which has distributed them to various councils and committees.

Deputy Chancellor Diacon wondered how this motion would alter current procedural practice. He asked if a dean could already do what is put forth in the motion.

Secretary May stated that it is already possible for a dean to propose a differential fee, but that the motion provides some criteria for shepherding such requests through the administration.

The motion was seconded and adopted as amended.
H. OLD BUSINESS


MOVED: That the Faculty Senate adopt the 2012-2013 Academic Calendar, as presented in Sen. Doc. No. 10-072B. 29-10

Presiding Officer O’Connor clarified that this amended calendar (as well as the calendar put forth in Sen. Doc. No. 11-032A) only changes the date of the commencement to be in line with those that will be carried out this year.

The motion was seconded and adopted.


MOVED: That the Faculty Senate adopt the 2013-2014 Academic Calendar, as presented in Sen. Doc. No. 11-032A. 32-11

The motion was seconded and adopted.

The 711th Regular Meeting of the Faculty Senate stood adjourned at 4:55 p.m. on November 17, 2011.

Respectfully submitted,

Ernest D. May
Secretary of the Faculty Senate