Presiding Officer W. Brian O’Connor called the 713th Regular Meeting of the Faculty Senate to order on December 13, 2011 at 3:30 p.m. in Herter Hall, Room 227.

A. PRESENTATION BY SHANE CONKLIN, DEPUTY DIRECTOR OF FACILITIES PLANNING
   “CAPITAL PROJECTS”
   (See attached)

Senator Richard Bogartz noted that Tobin Hall, which houses his home department of Psychology, as well as Neuroscience, is in the process of being surrounded. Commonwealth Honors College is closing the building off to the west and to the north. Bartlett will soon be taken away, which occupies some of Neuroscience. Senator Bogartz stated that it appears as though his department will have to occupy Garber Field in order to expand. He asked if that is what the situation would come to.

Deputy Director Conklin stated that the current plan is to remove Bartlett. There is no funded plan to replace anything at the current site of Bartlett. The Bartlett replacement will be at a site to be determined. When that site is determined, Bartlett will be demolished and its current location will be left as a site for potential future use. For both Hills and Bartlett, the strategy is to vacate the buildings, demolish them, and be left with clean sites. In the currently-approved environment, there is space near Tobin for expansion.

Ernest May, Secretary of the Faculty Senate, noted that Mr. Conklin outlined a nearly $2 billion set of projects. The University should be grateful for these investments. However, the bulk of the funding falls on the University. Secretary May wondered how much headroom the University had before reaching the 8% debt service to operation ratio that is the University's limit.

Deputy Director Conklin stated that the Facilities Planning Office is not directly responsible for financial matters. Facilities Planning is currently taking advantage of good interest rates.

Interim Vice Chancellor James Sheehan stated that the University is projected to reach the debt service to operation ratio limit around FY15 or FY16.

Secretary May asked if that would mean that the University can further spend about $200 or $300 million on capital projects.

Interim Vice Chancellor Sheehan stated that the ratio is a percentage, and therefore difficult to correlate to dollar amounts.

Senator Curt Conner wondered how much more expensive it is to build on the campus of the University of Massachusetts than it is to build on the campus of the University of Connecticut or at private institutions. He believes that it must cost at least twice as much—if not more.

Deputy Director Conklin stated that he would not venture an escalation such as that proposed by Senator Conner, but agreed that the public procurement process that the University must go through makes it difficult to spend money on the campus. The University does occasionally measure itself against comparable public institutions such as UConn, but private universities have much more flexibility in choosing contractors. UMass must follow Chapter 149 of the Massachusetts General Laws with respect to new construction, requiring filed sub-bids, DCAM certification, and pre-qualification. Contractors are put through a test to work with the University.

Senator Conner noted that those laws should be in place to save money, not spend more.

Senator Bogartz stated they were not in place to save money, but to make more money for contractors.

Senator Conner opined that nearly every single contractor the University has used has gone out of business.
B. ANNOUNCEMENTS

1. Principal Administrative Officers

*Provost James Staros* updated the University on the ongoing dean searches. There are two finalists for the College of Engineering doing public interviews. The searches for SBS, HFA, and the Graduate School are well underway. The various committees are doing private preliminary interviews. Provost Staros expects to receive lists of finalists for them shortly.

2. The Secretary of the Faculty Senate

*Ernest May, Secretary of the Faculty Senate*, thanked the Senators for their hard work over the semester and wished everyone happy holidays.

D. ANNUAL REPORTS


The report was received.


The report was received.

*Senator Arthur Kinney, Chair of the Research Library Council*, noted that the Library is going through many changes, both in the way the facility is operated and in terms of building a digital collection alongside the physical collection. It is a period of transition for the Library and the Research Library Council.

E. NEW BUSINESS


MOVED: That the Faculty Senate approve the General Education Designation for COMP-LIT 290T, as presented in Sen. Doc. No. 12-017.

The motion was seconded and adopted.

2. Special Report of the Committee on Committees concerning Nominations to Faculty Senate Councils and Committees, as presented in Sen. Doc. No. 12-018 with Motion No. 23-12.

MOVED: That the Faculty Senate approve the Nominations to Faculty Senate Councils and Committees, as presented in Sen. Doc. No. 12-018.

*Senator Kinney* stated that it is difficult to make sure that the councils and committees have equal representation across the schools and colleges and presented an amendment to the motion, adding Cynthia Jacelon (Nursing) to the Graduate Council, Karen Plotkin (Nursing) to the Commonwealth Honors College Council, and Don Taylor (Chemistry) to the Health Council.

The amendment was seconded and adopted.

The main motion was seconded and adopted as amended.

F. MOTION FROM SENATOR MAX PAGE

MOVED: That the Faculty Senate establish a broadly representative Ad Hoc Committee, appointed by the Rules Committee and approved by the full Faculty Senate, to monitor and evaluate the costs and financial impacts of FBS Football, reporting back at least once each semester to the full Faculty Senate.
Senator Max Page spoke in favor of the motion. He hoped that the motion was straightforward and would be an easy vote for the Senate. Over the past months, it has become very clear that the actual costs of the transition to FBS Football are not being given to the Senate. Some costs that were not included in the previous pro forma include the $1 million to buy out the previous coaches, the additional money to hire professional-grade coaches, the possible $1.8 million each year to renovate McGuirk Stadium, the as yet unannounced costs of a whistle stop tour that has been planned, the advertising campaign, and more. None of these were part of the spreadsheets provided to the Athletic Council concerning FBS football. Senator Page believes it is incumbent upon the Faculty Senate to set up a separate ad hoc committee to monitor, examine, and give a full accounting of the costs of the transition to FBS Football.

Senator Patricia Vittum noted that there seems to be a perception that the transition to FBS Football will immediately put UMass in the same field as Penn State, Ohio State, LSU, Alabama, etc. There seems to be a lack of trust. She reminded the senators that the Faculty Senate has an Athletic Council charged with overseeing numerous aspects of the Athletic Department. One of the six subcommittees on the Athletic Council is concerned with finances, and reviews Athletic Department figures regularly. Senator Vittum believes that establishing an ad hoc committee to study the financial aspects of the FBS transition is redundant. All of the subcommittee meetings are open to the public.

Professor Nelson Lacey, Co-Chair of the Athletic Council, knows that the Faculty Senate is familiar with the work of the Athletic Council. When the Council presents its reports to the Senate, much good discussion is generated. All of the Council’s Annual Reports are archived and available to study. Professor Lacey spoke against the motion for the reason of redundancy. He is on the Finance Subcommittee of the Athletic Council, and saw other members present, including George Richason and Secretary Ernest May. It seems odd that another group would be formed to look at the same information as the Finance Subcommitteee. Professor Lacey imagines that the proposed ad hoc committee would ask the Athletic Department for data and that data would be exactly the same as that analyzed in the Athletic Council.

Senator Michael Sugerman spoke in favor of the motion. He understands that there are already people on the Athletic Council overseeing the information given them. However, he wonders if any of the costs recently listed by Senator Page were included in the initial assessments given to the Athletic Council. If they were, he wonders if they raised any concern. The problem is not a question of redundancy, but a question of whether or not those who are interested in this information are able to find it, and whether or not the administration and the Athletic Department are honestly representing the costs of the program. Senator Sugerman spoke in favor of a broadly-constituted faculty committee that would make an attempt to go beyond the data that is voluntarily given to the faculty by the administration and Athletic Department officials that are clearly in favor of the program.

Senator Steven Brewer spoke in favor of the motion. It has been the past practice of the Faculty Senate to form an ad hoc committee to study particular issues over certain periods of time—even if a standing committee is examining the issue. The transition to FBS Football is a controversial issue that has raised a lot of questions. It would be useful to have a group charged to look at particular issues surrounding it and follow those issues forward in time to make sure it meets established goals.

Rod Warnik, Co-Chair of the Athletic Council, spoke against the motion. The Athletic Council has the mechanisms to report on this issue. The questions being brought up could be appropriately addressed to the Athletic Council. The Council has met regularly and has reported on specific issues to the Faculty Senate regularly. In the past six months, the Athletic Council has met seven or eight times with various groups, including the Rules Committee, to discuss these issues.

Ben Johnson, Undergraduate Student, Secretary of Finance for the SGA, and Member of the Athletic Council, asked Presiding Officer O’Connor to read a motion presented to the Student Government Association that is similar to that currently being discussed.

Presiding Officer W. Brian O’Connor, for information, read the following motion that had been withdrawn by the SGA Senate:

Whereas the University of Massachusetts Amherst Athletic Council has made numerous decisions on questionable financial and developmental plans for upcoming years, including procedures such as a $30 million statement for a four-year reconstruction period to McGuirk Stadium—and doing so off of a $25 million operative budget;

Whereas 40% of this operative budget is being allocated from student tuition and payments, and yet many of these crucial decisions on financial and developmental procedures have little to no student input;

Whereas, through multiple discussions with Dr. Ernest May, Secretary of the Faculty Senate, he has, on behalf of the Faculty Senate, requested that the SGA Student Senate present a small assembly of senators and executive members who
are interested in working directly with him, the Faculty Senate, and the Athletic Council in regards to solving these issues of athletic development and finance;

Whereas not only would this select committee make significant changes to the athletic community by bringing a diverse and insightful perspective to the decisions at hand, but would also be a ground-breaking opportunity to integrate student leaders alongside the head directors and administrators of the Faculty Senate, Athletic Council, and Athletic Department;

Therefore, be it enacted that the SGA Senate create the Athletic Development and Finance Select Committee;

Be it further enacted that the Athletic Development and Finance Select Committee shall be responsible for entrusting its members with the following:

1) To create ways in which the Athletic Council and Athletic Department will best utilize its resources, time, and money properly;

2) To always protect the best interest of the student population while working on developmental planning in regards to athletics;

3) To finally create a solid foundation between undergraduate student leaders, the Athletic Council, and the Faculty Senate to effectively work together to achieve a more unified, transparent, and fiscally productive university.

Mr. Johnson noted that this motion was written by a freshman SGA Senator. Mr. Johnson asked the author if she knew that he served on the Athletic Council, or that there was student representation on the Athletic Council at all. She did not. Mr. Johnson believes it is interesting that a freshman student would write such a thoughtful motion not knowing that there was any student representation on the Athletic Council. He noted that SGA President Yevin Roh told him not to “lean one way or the other, but only present the facts” as the SGA knows them. The read motion was withdrawn once the SGA Senator learned that there was, in fact, student representation on the Athletic Council. Mr. Johnson believes that the motion on the floor is similar to the one withdrawn by the SGA. He further noted that students often come to the SGA Office to discuss issues with SGA leaders. Not a single student has come to the Office to speak either in favor of or against the University’s transition to FBS Football. There are other issues that students are passionate about, as was seen at the last Faculty Senate meeting. Football is not one of those issues. The students that Mr. Johnson has spoken to, in fact, are excited about the transition and the possibilities it will bring to the University.

Senator Bogartz addressed the issue of redundancy, stating that redundancy is not a negative thing in the abstract. Anyone who knows anything about information transmission knows that redundancy, in fact, is a positive thing. With respect to the particular situation, Senator Bogartz believes we should think about it as an experiment. It may turn out that the ad hoc committee will provide the Senate with identical information as the Athletic Council. In that case, we could do away with the ad hoc committee. However, if it turns out that the information is not identical, there would be more to consider. He spoke in favor of the motion.

Professor Susan Whitbourne noted that she teaches a large Psychology section of 469 students. She deals with them three times a week. Students have not raised any concern to her regarding football other than issues after the weekend involving their health, mental health, and anything else related to the “shenanigans” surrounding the games. Faculty and staff work incredibly hard to orient students and deal with their behavior. Professor Whitbourne believes that the FBS transition and all of its financial ramifications cast a negative light on other student issues. She believes that the University is sending a message to students that healthcare, teaching resources and staff, mental health services, peer mentors, and all other services on the campus being cut or challenged are not as important as football. The proposed committee could not, obviously, address every issue. However, it is important to analyze such a large allocation of funds. If the FBS transition is the right decision, we will have the data to back it. Professor Whitbourne wonders how football will help current students or alumni with UMass allegiances when so many campus services are being cut.

Senator Frank Hugus spoke in favor of the motion for many of the reasons already stated. He added to them the historical precedents supporting such a move. In the 1990s, a former chancellor suggested that the University transition to top-tier football. At that time, Senator Hugus was a member of the Rules Committee. The Rules Committee decided that the Senate should form an ad hoc committee to research the issue. The committee compiled the information it needed and recommended that it was not a good time to transition to a higher level of football. The Chancellor followed that recommendation. Senator Hugus has no problem with two separate committees reviewing the same figures. He believes it could be good idea to have both groups analyzing the numbers.
Provost Staros reiterated a statement by Athletic Director John McCutcheon that relates to an earlier comment by Senator Sugerman. The Athletic Council could not have had access to some of the information regarding the transition simply because it wasn’t available at the time the pro forma was created. Mr. McCutcheon has said numerous times that the pro forma is a snapshot that will be updated regularly and shared with the Athletic Council. The arguments that the Athletic Council did not have all the information do not hold any water. They do not speak towards having another body to analyze the data. It is simply a matter of point in time. Mr. McCutcheon has promised updates at regular intervals. Provost Staros fundamentally agrees with the Athletic Council representatives that have spoke against the motion and believes that the proposed ad hoc committee is not a good use of human resources.

The motion was seconded and adopted by a vote of 27 in favor to 5 opposed.

G. OLD BUSINESS

RESOLUTION SUPPORTING THE BERLIN DECLARATION ON OPEN ACCESS TO KNOWLEDGE IN THE SCIENCES AND HUMANITIES
(Tabled from the 710th Regular Meeting of the Faculty Senate on November 3, 2011.)

The Research Library Council recommends that:

WHEREAS the University of Massachusetts Amherst’s longstanding commitment to the free and open publication, presentation and discussion of research advances the interests of the scholarly community, the faculty individually, and the public, and

WHEREAS the Faculty Senate [Sen. Doc. No. 07-035 - http://www.umass.edu/senate/councils/RLC_resolution_scholarly_publishing.pdf], on May 10, 2007, endorsed the recommendations of the Research Library Council and encouraged faculty, librarians, staff, and administrators to be supportive of new and innovative models of scholarly communication and utilize these options whenever possible,

THEREFORE, BE IT RESOLVED that the University of Massachusetts Amherst Faculty Senate:

1. Support the goal put forth in the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities to make scientific and scholarly research more accessible to the broader public by taking full advantage of the possibilities offered by digital electronic communication.

2. Support the efforts of the Berlin 9 conference, held in Washington, D.C. on November 9 and 10, 2011, to evaluate the progress made to date towards the goals of the Berlin Declaration, and to provide support and momentum towards continuing progress.

3. Join more than 300 universities, research institutions, funding agencies, foundations, libraries, museums, archives, learned societies and professional associations that have signaled their support for the goals of Open Access by signing the Berlin Declaration since its inception.

MOVED: That the Faculty Senate endorse the recommendation of the Research Library Council 13-12 that the University of Massachusetts Amherst Faculty Senate join the signatories of the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities, as presented on the agenda of the 713th Regular Meeting of the Faculty Senate on December 13, 2011.

Professor Michael Maroney, Chair of the Research Council, noted that this motion was tabled at an earlier Faculty Senate meeting to allow the Research Council to review it. The Research Council has since endorsed the motion.

The motion was seconded and adopted.
Senator Michael Sugerman moved that the Senate suspend the rules in order to put forth a motion calling on University of Massachusetts President Robert Caret and the incoming Chancellor to reconsider the changes to the UMass Football program and to report back to the Faculty Senate on those considerations in 2012. This motion was planned to be brought forth at the previous Faculty Senate meeting, but time did not allow.

The motion to suspend the rules was adopted and Senator Sugerman put forth the following motion:

MOVED: That the Faculty Senate call on President Caret and the incoming new Chancellor to reconsider the 25-12 changes in the UMass football program and report back on those considerations to the Faculty Senate by the final meeting of the Faculty Senate in December of 2012.

Senator Sugerman spoke in favor of the motion, noting that it has become clear that the data supplied to the Athletic Council and the Faculty Senate was “woefully incomplete.” Although it may be true that the actual numbers were not available at the time, as Provost Staros has said, Senator Sugerman believes it was not hard to predict what those numbers would be. Still, they were not taken into account. The new ad hoc committee will show that there are ways to predict these figures and take them into account when making decisions. Given the new information on finances available for consideration and the reaction of faculty on the campus to the possible cultural impacts of semi-professional sports programs on campus, Senator Sugerman and a number of his colleagues believe it to be a good idea to call on President Caret to reassess the decision made by his predecessor.

An unidentified Senator asked why the motion is waiting until December of 2012 for a response.

Senator Sugerman stated that the new chancellor should have the opportunity to fully assess the information.

Senator Curt Conner stated that he did not know that President Jack Wilson made the decision. He believed it to be a campus decision.

Senator Sugerman noted that he had no idea how the decision was made, since it was mostly done behind closed doors.

Senator Conner does not think that President Wilson made the decision, and if he did not, it is inappropriate to involve President Caret.

Senator Sugerman disagrees, stating that there were three primary decision makers involved: the President of the University of Massachusetts, the Chancellor of UMass Amherst, and the Chairman of the Board of Trustees. The President is already gone, the Chancellor is on his way out, and Senator Sugerman does not believe that the Chairman of the Board of Trustees will be a major decision maker in the coming years. These three decision makers had to sign off on the change, both fiscally and programmatically. To say that this was a decision made only on the campus is to misunderstand the process.

Senator Conner believes that Senator Sugerman likewise does not understand the process.

Senator Sugerman believes that is a possibility, but he would like to find that out factually, and not simply be told.

Senator M. Christine King spoke in favor of the motion. Considering that an ad hoc committee was just established to monitor and evaluate the financial impact of football, that a new President and Chancellor that were not part of the original deliberations are coming on board, and that the transition will have huge implications to students, faculty, and alumni, she believes that the more transparency that the University has with incoming administrators, the better. Whether the University stays in FBS is a separate issue. It is important that the incoming administrators weigh in on the issue as it stands. Senator King would like UMass to become an AAU institution, but she wonders if football has to be the University’s way in.

Senator Bogartz noted that he does not know how every decision is made, but he does know that Chancellor Holub frequently, while noting how well he kept the University informed, mentions that President Wilson was informed of every development regarding football. Chancellor Holub states that President Wilson was completely on board with the transition. It can be assumed that the President was involved at some level.

The motion was seconded and adopted by a vote of 26 in favor to 7 opposed.
The 713th Regular Meeting of the Faculty Senate stood adjourned at 4:35 on December 13, 2011.

Respectfully submitted,

Ernest D. May
Secretary of the Faculty Senate