President Owen McDougal called the Faculty Senate to order at 3:17 p.m.

1) **Roll Call**: Present – President Owen McDougal, **Vice President** Lynn Lubamersky, **ASBSU Liaison** Chase Johnson, **Adjunct Representative** Jim Stockton, **Senators**: Sara Ahten, Alicia Garza, Ed Baker, Cheri Folkner, Anne Gregory, Craig Hemmens, Joanne Klein, Anthony Marker, Mary Ann Cahill, Gary McCain, Nader Rafia, Will Rainford, Troy Rohn, Russell Willerton, David Saunders, Mary Stohr, Eric Brown, and Sandy Gough. **Guests** – Provost Sona Andrews and Senate Secretary Bob McCarl.

- **Announcements**: Senator Alicia Garza has returned to represent Arts and Letters. Sandy Gough has replaced Senator Tom English for the College of Business and Economics.

**Agenda Items:**

2) **Approval of Past Minutes**

   (a) **8 December 2009 Minutes**:

   - **Senator Klein**: Top of page 6, in regards to sending the degree requirement change from 128 to 120 to the Curriculum Committee for discussion, Sen. Klein was not the only one to object. **In the minutes, changed “Senator Klein objected” to “there were objections”**.
   - **Senator Folkner**: On page 2, ULO’s were not defined. **In the minutes, changed “ULO’s” to “University Learning Outcomes”**.
   - **Vice President Lubamersky moved to approve the minutes from the 8 December 2009 meeting. The motion was seconded by Senator Saunders and unanimously passed by the Senate. There were no objections.**

3) **Old Business**

   (a) **Status of request for opinion from Attorney General (AG) Wadson – Pres. McDougal**:

   - Professor Harkness’s questions to the AG, regarding the SBOE policy revision, were rewritten by University Legal Counsel and Pres. McDougal with Kevin Satterlee. Main questions: Are these now the appropriate questions to ask the AG? Are there things missing that need to be addressed? We have a short window of opportunity to make comments.
   - **Sen. Saunders**: What happened to the recommendation of the Financial Affairs Committee (FAC) for changes in wording in the policy? Were they not included in the revised SBOE policy? Did not see the changes in the policy.
   - **Pres. McDougal**: Nothing has been modified since the first read of the policy by the SBOE. Recommendations were presented to the State Board but the board has not produced a new document reflecting any changes.
• Sen. Saunders: Do they have the recommendations made by FAC?

• Pres. McDougal: I think we will have to submit our recommendations in writing.

• The recommendations of the FAC need to be submitted to President Kustra’s office by the end of the day 27 January 2010.

• Sen. Saunders: Wished to change language in Harkness’s question #1 from “constitute of” to does tenure (as identified in SBOE policy II. G. 6.) include or imply a guarantee of an annual minimum salary at least equal to the salary in prior years…”?

• Sen. Willerton: In reference to the SBOE meeting, 2010 needs to be changed to 2009: the change was made.

• Sen. Rainford: Worried “imply” is not a binding, legal term.

• Changed language in Question #1 from “constitute of” to “include”.

• Sen. McCain: Suggested an additional question. Other Senators approved of his recommendation. Created the question to “Does salary ‘adjustment of salaries during a contract period’ constitute a breach of contract?” No matter which side of this argument you might be on, there will be a lawsuit.

• Senator Klein moved to submit these questions to the State Board for request of opinion by the Attorney General. The motion was seconded by Senator Rainford. Next SBOE meeting Feb. 18 on BSU campus.

• Pres. McDougal: Any comments on SBOE policy by 1-27-10 to him.

• Sen. Baker: Should the letter also be endorsed by Legal Counsel Kevin Satterlee, not just Pres. McDougal?

• Pres. McDougal: Will request that Kevin Satterlee include a statement of his endorsement and signature to the letter. Goal is to make sure that the SBOE considers the request from BSU Faculty Senate to ask AG opinion on the proposed changes. We must route this through the SBOE, it is not appropriate for us to go direct to the AG.

• Sen. Klein: Having Satterlees’ signature makes it stronger.

• Pres. McDougal: ISU attempted to go directly to AG and they were denied. Our letter is an urging of the SBOE to ask the AG for an opinion. Will ask for Satterlee’s signature.

• Sen Gough and Saunders: Explanation of what previous discussion was about.

• The motion was unanimously passed by the Senate. There were no objections.

(b) Status of SBOE policy revision/2nd read – Pres. McDougal:

• The policy will likely be approved at the 2nd read, as most Idaho Universities are not in as good of financial shape as BSU, therefore, action needs to be taken to balance budgets and move forward. We have not seen any changes to the policy nor do we know what the State Board will consider for the 2nd read. May not be available until shortly before the meeting. I will send it out as soon as I can.

• The next State Board meeting is on the BSU campus 18 February 2010.
• Can request to get on the agenda to address the SBOE.
• Sen. Klein: Concerned the State Board is voting on a policy we will not get to see beforehand.
• Sen. McCain: Other universities have been operating on the assumption that major cuts would occur under the existing policy. We should appreciate our position at BSU in comparison to what is happening at ISU. Sen. Rainford agrees.
• Pres. McDougal: FAC will present proposal that would allow changes to the SBOE policy only if the institutional policy conforms to AAUP guidelines. So while it is true that SBOE policy trumps institutional policy, it would take an agenda item, meeting and intervention for them to intervene in institutional matters. Point is that having the AAUP guidelines enshrined within BSU policy will provide us with a measure of protection.
• Sen. Baker: Requested the “1st read” version of the SBOE policy to send out to faculty.
• Pres. McDougal: The version was sent out with Senate materials on Friday. The first reading did include some language from K. Satterlee, FAC and the Faculty Senate so there was some BSU language in the Dec. 8, 2009 document.
• Discussion Sens. Baker and Saunders: Does that mean that if SBOE makes material revisions, the changed policy would go back to a first read sequence?
• Pres. McDougal: No, I think that the SBOE could make material revisions when it comes up for a second reading and confirm the revisions at that time.

(c) Employee dependent benefit resolution – VP Lubamersky:
• Changes were proposed and made to the draft resolution.
• VP Lubamersky: In keeping with policies of other Idaho universities, and also looked at other comparable universities and fashioned the request to the Human Resources Department to explore the cost and feasibility of having this benefit at BSU.
• Sen. Klein: Suggestions for wording revision. Includes all employees?
• VP Lubamersky: Explains the way the system works in U. Minnesota.
• Sen. Rainford: Questions about faculty included in benefit?
• Sen. Gough: Does HR have the resources to collect these data?
• Pres. McDougal: Jane Buser requested that the Faculty Senate provide her with a resolution/request so HR could explore the issue and examine cost/benefit issues. “Faculty Senate strongly recommends HR staff to conduct an analysis of the cost of an Employee Dependent Benefit.”
• Sen. McCain: Additional edits and questions to whom the resolution is to be addressed.
• Sen. Klein: Perhaps adding language about possible tuition wavers?
• Sen. Ahten: First section a recommendation and then followed by a request.
• Sen. Klein: At the moment just asking them to conduct the study.
• Sen. Willerton: Adding a whereas clause and just make it more clear.
- *Sen. Rainford*: Question about the ability to conduct a survey/study like this at BSU and the fees anticipated?
- *Sen. Gregory*: We should take an incremental approach to developing this, as opposed to an all or nothing approach.
- *Senator Klein moved to approve the Employee Dependent Benefit Resolution*. The motion was seconded by Senator McCain and was unanimously passed by the Senate. There were no objections.

4) New Business

(a) *Restructuring at BSU – Provost Andrews:*

- BSU is continually reorganizing to become more efficient.
- International Programs Office (IPO): Trying to do more with what we have by taking current functions and “embed them in larger structures that can support them better.” Student Affairs has a robust structure within their Admissions Office and Center for Diversity and Inclusion. Therefore, they can perform the same duties in a more effective way. Issue is the re-allocation of resources. We had a meeting of 35 people where we went through all of the functions of the IPO and we decided on the things we wanted to do, things that we did not want to do and things we wanted to do better.
  - Services are not being diminished.
  - All staff received letters stating their contracts will not be renewed next year to give individuals notice that positions may be changing and there might not be a job for them. I can’t honestly say at this time if some of them will fit into the new positions that might be created. But it was the right thing for us to do and the way we do that at the university is that we let them know that their job might not be there at the end of their contract period.
  - *Sec. McCarl*: Do we believe in co-governance during this time and what is the administration’s agenda concerning the job cuts, and what is the division of labor in the Financial Affairs Committee (FAC)?
  - *Prov. Andrews*: There is no change in the budget devoted to internationalization methods. All resources will continue and hopefully grow. FAC is not micro-managing this. Goal is to enhance services. I will use the term “try to be more efficient.” When you become more efficient, you use the resources you have and do more. With regard to shared governance, that is an interesting conversation and it comes down to where you all want to draw those boundaries. For example, the right of an academic unit to make its own decisions. If this was a diminishing of resources, I think that that would be an important issue to bring to this body.
  - *Sec. McCarl*: Did not get answer to the question.
  - *Prov. Andrews*: Co-governance is allowing the different parts of the university to do their job.
- **Sec. McCarl:** Specifically the question about cuts. What about the Mail room employees?
- **Prov. Andrews:** The Mail room, okay the Mail room services will now be contracted through the state.
- **Sec. McCarl:** And that is not a cut?
- **Prov. Andrews:** I would say that the Mail room is one of those where we were trying to save money. I hate to say this, but as a nation, state and university we are about to come into a financial reality that we have not seen before. I do not feel that we have to come before the Faculty Senate before every decision gets made.
- **VP Lubamersky:** This issue is a concern to faculty. The IPO does affect faculty in teaching, grants.
- **Prov. Andrews:** No indication that IPO is going there. You are jumping to conclusions and our emails have been clear.
- **Sen. Rainford:** Concerned about staff but does not want to worry about staff decisions at Senate meetings. It is not our place to question staff decisions from the administration.
- **Sen. Klein:** There is a lack of understanding about who made these decisions about IPO. Who made the decisions?
- **Prov. Andrews:** President Kustra did based on input from students, the VP of Student Affairs, and myself. Agreed to explore how to effectively manage things with the resources we have.
- **Sen. Klein:** Not including faculty input in the decision does not seem to be in the spirit of co-governance. This is a question of a portion of the university—IPO, that does concern faculty.
- **Prov. Andrews:** Would have come to the Senate to discuss this if services were going to be diminishing services provided to faculty; if we were going to eliminate study abroad or eliminate other services to faculty or students, I would certainly come to this body to talk about that.
- **Sec. McCarl:** My question concerned a division of labor between the Financial Affairs Committee, not the full Senate. And the question is given these difficult financial times the administration has a decision: either they use the FAC to clearly and transparently discuss what financial decisions are going to be made and negotiate those with the faculty in a spirit of co-governance or not. I think we have a situation at BSU that rather than opening the books and saying, here are the proposals, we find out these decisions after they have been made in the media. These decisions are being made on a unilateral basis. The question is quite clearly, “What is the division of labor here between the faculty and administration?” and I have never received an answer to that question.
- **Sen. Baker:** Agrees with **Sen. Rainford.** We need barriers to discussing administrative decisions and to support re-engineering and efficiency at this University. I do not want to hear about the
changes to the mail room. Somebody over there did their job; there are efficiencies in the mail room. That’s it. We need to have some areas here and we have other things we have to focus on. We need to support these fixes because there will be lots of bodies if we do not do that.

- **Sen. Saunders:** Important to point out how the FAC works. We look over the proposed cuts and we make decisions about those cuts and negotiate them with the provost and the president. That is the way it worked last year and the way it will work this year. Then it is their decision to make. Suppose Chemistry wants to close one of their 100 student courses and Nursing says that it would hurt their program. That is why there has to be oversight. It is the administration’s job.

- **Sen. Klein:** Important to point out that this is a situation where the communication could have been more clear from the administration.

(b) **Committee Volunteers – Pres. McDougal:**
- Student Activity Fee Committee: Senator Gough
- Graduate Council: Senator Rafla

5) **Committee Business – Reporting Committee Membership**

- **Academic Standards – Mary Stohr:** Committee has not yet met this semester; therefore the policy on changing academic grievances has not been resolved.

- **Core Curriculum/CRTF – David Saunders:** The task force is meeting each week. We are getting close to a draft document (that will be presented to the Senate) that includes University Learning Outcomes (ULOs) and how the task force proposes the revised curriculum will address the ULOs. Is unsure of a time-line.

- **Curriculum – Anne Gregory:** No update available.

- **Diversity – Tedd McDonald:** No update available.

- **Financial Affairs – Gary McCain:** The FAC made major revisions to the SBOE policy. Many of these suggested changes were incorporated into the first read document considered by the SBOE at the 8 December 2009 meeting, but not all of them. The FAC is now in the process of drafting an institutional level policy, modeled after the current exigency policy, but has not met yet on the matter.

- **Faculty Grievance – Lynn Lubamersky:** There are no grievances at this time.

- **Professional Standards – Lynn Lubamersky:** The two polices that the committee is working on are the Selection of Deans and the Evaluation of Deans that are not ready for review by the Faculty Senate at this time.
Graduate Council – Joanne Klein: Has met and passed many good curriculum policies but nothing controversial has come up. Went over the Independent Study Directed Research policy, made a bid, and sent it over to the Undergraduate Curriculum Committee.

Constitution/By-laws – Anne Gregory: No update available.

Research Committee – Joanne Klein: Nothing to report.

Sabbatical Leave – David Saunders: January 15, 2010 was the deadline for submission of sabbatical leave applications. The committee has not yet met.

Student Affairs – Tom English: Senator Gough agreed to serve as liaison to replace Tom English.

6) Other Business

a) Pres. McDougal: Pres. of Professional and Classified Staff, along with Pres. McDougal, are going to meet with legislators for a lunch on 17 February 2010. A suggested topic for discussion is the difference in appropriated dollars from the state per student. At BSU, students receive the lowest appropriation of funds from the state as compared to the other Idaho Universities.

b) Prov. Andrews: Has seen internal Boise State emails talking about furloughs at LCSC, ISU, and U of I. To set the record straight, BSU has spoken directly with ISU and LCSC, and neither is planning on doing furloughs. BSU is also not planning on doing furloughs. Has not been able to get direct word from U of I so does not know for sure about their plans on furloughs.

Senator Brown moved to adjourn the meeting. The motion was seconded by Senator Gough and unanimously passed by the Senate. There were no objections. The meeting adjourned at 4:45 p.m.

The next Senate meeting is scheduled for February 09, 2010.