

**Texas Tech University Faculty Senate  
Meeting # 301, December 8, 2010**

The Faculty Senate met on Wednesday, December 8, 2010 in the Senate Room of the Student Union Building, with **Faculty Senate President Richard Meek** presiding.

Senators in attendance were: Farmer, Kvashny, Mills, Perl, Biglaiser, Boros, Borshuk, Cristina Bradatan, Cox, Drager, Durband, Fallwell, Harter, Held, Lodhi, McFadden, Nathan, Stodden, Weinlich, Bremer, Pasewark, Ritchey, Crews, Hendricks, Janisch, Bayne, Darwish, Helm, Matis, Leslie, Blum, Collier, Fowler, Sharp, Ross, Callender, Syma, Bradley, Chansky, Duffy, Santa, CM Smith, Tate, Wood, Awal, Kelleher, Meek, Spallholz and Whitfield. Senators excused were: Boros, Davis, Mosher, Schmidt, Surles, Gilliam, McArthur, Chambers, Ajlouni, Rice, Louden, Costica Bradatan, Heinz, Dodds, Wang, Lakhani, Rahnama, and Kucera.

**I. Call to Order:**

**Richard Meek, Faculty Senate President**, called the meeting to order at 3:19 PM.

**II. Recognition of Guests:**

**Faculty Senate President Meek** recognized our guests: Texas Tech University President Guy Bailey; Jim Brown, Director Special Projects Human Resources; From the Provost office: Provost Bob Smith, Rob Steward, Valerie Paton and Gary Elbow. Matt McGowan, from the Avalanche Journal; journalism student, Edmond Rostran, Dr. Gad Perry; professor and AAUP President, Professor Jane Fowler from Biology and Sandy River, the Faculty Senate Parliamentarian.

**III. Approval of Minutes:**

**Faculty Senate President Meek** moves for approval of minutes for Faculty Senate #299 and #300. Move to accept with revisions by Senator Chansky Second by Senator Tate. **Minutes #299 (October) Accepted by unanimous voice vote. Minutes # 300-** No objections: **Move to accept by Senator Kvashny, second By Senator Fowler.**

A change in the order of the agenda moved **Senator Shane Blum's** two committee reports forward.

**Senator Shane Blum. Academic Integrity Task Force-** Responding to concerns of the Faculty Senate in November and will work on wording to bring to a vote in January. Presentation to the Board of Regents is deferred.  
**Student Union Building Advisory Committee-** No committee movement since last meeting.

**IV. Speaker: Guy Bailey, Texas Tech University President. Richard Meek, Faculty Senate President** introduced President Bailey to provide an overview of recent news and trends across Texas Tech, and, in particular, those initiatives originating from the Office of the President and 2010 overview.

**Dr. Guy Bailey** thanked the Faculty Senate and current officers.

i. State Budget and Planning: Revenue shortfall but uncertain.

Be prepared and cautious; but not panic and interfere with core university function.

Budget Working Group under Dr. Smith is charged by **President Guy Bailey** to put together a white paper to recommend options. Drafts posted on the web and request senate make recommendations. Report due within two weeks. Texas Speaker of the House asked for another 2.5% reduction already this fiscal year.

ii. Legislative session. Redistricting on the agenda with budget and many new legislators. President Bailey thinks, we are unlikely to have a final budget until mid to late summer from a special session.

iii. Silver linings. Presidential lecture – demographer – has strong long term outlook for Texas and more recently, for tax revenues picking up. Finally, TTU is well represented in Senate and House and very good representation state-wide in leadership.

iv. Critical needs hiring has a committee. We are hiring but make sure to hire essential personnel and avoid commitments that maybe trouble soon down the road. We've been preparing since last summer to ride out budget crisis.

v. National Research University Concerns. We will make or presentation to BOR in December and faculty will be pleased with progress. Priority is for growth and to preserve:

a. *Core vision of institution (instruction and research).*

- b. Need to be flexible – ambiguous.

Questions for the President Bailey that were taken from the floor were:

**Senator Lewis Held:** Financial Exigency Plan. Aware of it and will implement?

**Dr. Bailey:** Is aware and will implement if needed; but mergers and academic unit closures will require extreme deficits

**Senator Julian Spallholz** inquired into 2.5% reductions. Overall, or State? How much?

**Dr. Bailey:** Out of State. State about 30%. So reduction is about \$7 Million. Unfilled positions and salary raises have been deferred. Problem is most of state budget is for personnel; so it is restricted and less flexible. That is what makes it difficult.

**Provost Bob Smith** noted the next cut is about \$2million more.

**Senator Julian Spallholz** then inquired about budget priorities concerning University staff.

**Dr. Bailey.** It could also include staff; but expressed concern for critical staff and that the salaries don't go too far. Unfilled positions and Critical Needs Hiring.

**Senator Julian Spallholz:** When will next year raises be announced? We have to have those by spring.

**Dr. Bailey.** We don't have to have them by spring and won't be able to in all likelihood. It may very easily come as late as August. The default is to freeze until budget clarifies.

We might have one in May; but not counting on it. "If you like ambiguity, you'll like the spring"

Faculty salaries over-time is critical for university to meet its targets. It is significant issue and need 4-6 year graduated correction; but may not be able to start in this session term.

**Gad Perry (AAUP):** What about student tuition?

**Dr. Bailey:** We may make tuition uncertain. We may ask the Board for a statement of tuition early to anticipate the last round for tuition increases were very helpful. We are trying to be prepared to avoid shocks at core issues of university mission. There is not much we can do if we really get the worst case scenario.

**Gad Perry (AAUP):** More like 5% tuition increase; 50% increase?

**Dr. Bailey:** too early to say. Board may make request or Assembly may impose an order. We are anticipating as well as we can. Also, enrollments undergrad and grad continue to increase. Enrollment helps in revenue among other core mission goals; the growth is a bit larger than we thought. Retention is also up, including upper class (Juniors, Seniors).

**Senator Lewis Held:** How many open positions

**Provost Bob Smith:** 65 faculty and 96 Staff Vacancies

**Senator Lewis Held:** How many will be authorized?

**Provost Bob Smith:** hard to tell. We are asking unit leaders for more information.

**Senator Lewis Held:** Is the 'triage' committee large enough and diverse enough to do the job with three persons?

**Provost Bob Smith** That is why we are asking for more information from units.

**Gad Perry (AAUP):** what about administrators?

**Provost Bob Smith:** President has approved the composition of the committee to fill, for example, the Dean's position in CASNR.

**Dr. Bailey:** Some cuts are not immediate but serve a longer term concern.

**Senator Daniel Nathan** Are we facing a cut in faculty as enrollment increases?

**Dr. Bailey: In last two years? Provost Bob Smith:** we have not added faculty.

**Dr. Bailey:** If all positions filled, we would have to lay off people.

**Senator Julian Spallholz:** Cancelled/reduced degree programs has been happening.

**Dr. Bailey:** There are lots of sacred cows. Everything has a constituency. For example, we purchased 200+ cars university wide. One college has purchased more than 103. There might be cheaper ways to deal with this. There are small changes that can preserve what we have.

**Gad Perry (AAUP):** What about athletics?

**Dr. Bailey:** Their cuts exceed the academic side proportionately as athletics revenue is up this year.

**Senator Bret Hendricks:** How do we implement RCM without a budget?

**Senator Carolyn Tate:** Best students are those we already have. Does this apply to faculty??

**Dr. Bailey** We have had about 6 searches, which are expensive. Hard to recruit due to salary, spousal accommodation, start up and travel accommodation, et cetera. Sometime these are the same reasons we have lost faculty, though not so much in our department.

**Dr. Bailey:** We need faculty to build successful careers and stay. If faculty are not successful, we're not successful.

**Faculty Senate President Richard Meek-In consideration of our time let us hear from Jim Brown.**

**Speaker- Jim Brown, Director Special Projects Human Resources on retirement enrollments.**

Decision of ERS or TRS is only 90 days and one time irrevocable. It has been hard to get paperwork through office in hard copy.

Now we have a revised interface.

Some issues: **Roth 403-B**. Make contributions and pay taxes today rather than later. Disbursements are tax free. Earnings are exempt from taxes, withdrawals may occur after five years. Existing IRA can be converted. Have to pay tax today at conversion to retrieve prior deferments.

**Senator Lewis Held:** Is TIAA-CREF on website?

**Jim Brown:** It will be in January. We now have variable annuities. **Can we get mutual funds? New options:**

**Valiic. TIAA-CREF, Fidelity and one other** have a pure mutual fund platform. More choices.

Four funds will be offering self-directed brokerage account. This means all mutual funds on NYSE are available. A person can choose among close to 4500; up to 15,000 on other exchanges. ETFs are also available.

More will be rolled out in January and February.

#### **Participant Platform.**

It explains options in one place. More transparent disbursements: loans or 59.5 years withdraws. All can be managed on line rather than hard copy, through vendor and TTU office. And decisions and explanations are better.

Jim Brown then does a walk through on the site with the projector.

**Senator Julian Spallholz:** TIAA-CREF cannot roll out in less than ten years.

**Senator Lewis Held:** Only on the TIAA side.

**Jim Brown:** this is common in bonds (investment vehicle). As they are fixed income, payments require liquidity for premiums. If you avoid that vehicle, you are fine. But be careful. If the return exceeds what can be done in the market – there will be a limitation.

Link is not available for 457s as these are state programs – the ERS system.

**Senator Michael Farmer:** What is Roth roll over tax if there has been a loss. Does the faculty have to pay for the \$50K they set aside and got a tax deferral on – or just the nominal amount at the time of the roll over – say, \$40K.

**Jim Brown:** Just the nominal amount at the time of role over, higher of lower.

Jim Brown thanks the Faculty Senate for their time today.

**V. Old Business and Committee Reports: None**

**VI. New Business. None presented.**

**Senator Lewis Held, Chair- Faculty Senate and Welfare Committee. Two issues;**

1. **OP 32.35.**
2. **On Blue Sheet**

**Letter on Faculty Hires for meeting on December 21, 2010.** Just appeared.

Enough concern as it lay down ground rules regarding tenure as it states expectations of new faculty.

Procedurally it is difficult to place issue to vote not on agenda from committee.

**Parliamentarian Sandy Rivers:** There is no provision to vote from the floor.

**Senator Lewis Held:** A senator can call to the floor any issue by majority vote.

**Parliamentarian Sandy Rivers:** It applies only to discussion, not to vote.

**Senator Lewis Held:** Stewart assures there will be time, if so, willing to drop the provision for senate approval.

The problem is the issue arose after the agenda meeting. But there is possible action before next meeting.

**Rob Stewart:** No actions will be taken on this in the next few weeks.

**Senator Michael Farmer:** So it won't go forward without Senate approval/review?

**Rob Stewart:** Correct. Senate input will precede any letters that go out under this suggestion/draft.

**Senator Lewis Held:** Given recruiting disadvantages, these letters make it more difficult.

**Faculty Senate President Richard Meek:** We can defer until next period.

**Rob Stewart:** A notice of an issue is not the same as immediate impending action, but a heads up for due deliberation.

**Senator Lewis Held:** Can we defer discussion on 32.35 to next period? Can Rob Stewart attend?

**Rob Stewart:** Yes. But as a quick highlight.

He notes right up front that a final background check will occur. **Stewart** recommends retaining that.

**Faculty Senator Daniel Nathan:** So every advertisement has to include this disclosure.

**Gad Perry (AAUP):** We pay by the word for advertisements.

**Senator Lance Drager:** Can we send them to a link? Need to ask legal.

**Rob Stewart:** We should we commit to a timeline?

Prefer not to according to legal. Yet most of these occur within a week, most a few days.

All is done electronically. Recommend not changing this to promise a timeline.

Recommends sustaining "*Moral Turpitude*"

**Gad Perry (AAUP):** especially in context of non-felons

**Rob Stewart:** Allows crimes of dishonesty. As an academic institution, that is important.

It is defined by Law; so we should likely accept.

**Senator Isis Leslie:** In consultation with law faculty member, that statute includes many things that would surprise us, we may find that "moral turpitude" allows for a wide range of issues that might not meet our concerns.

**Gad Perry (AAUP):** What about a bounced check??

**Senator Wendy Ross:** Depends on intent and how prosecuted. The complexity is the point. But need to know what it is exactly to report it accurately. Few non-attorneys would find this easy. It may be better just to take it out. We may get attorneys advice regarding the direction that TTU requires.

**Rob Stewart:** We need advice on who has the final word. Previously university police conducted searches. Now we are going outside. A whole section will require re-wording. Confidentiality is still an issue of disagreement within legal and administration. It needs some vetting.

**Senator Lance Drager:** Concern is less to get the signal from the background check; but how we act on it. Lots of reformed persons would make excellent employees. The Chancellor exemption seems to thin.

**Rob Stewart:** Report from PO or Dean to write to Chancellor.

**Senator Lance Drager:** People need to disclose; but we need to be more open on how adjudicated.

**Rob Stewart:** Only check on those who have been given an offer. This way we don't have to keep information on rejected candidates for several years. We will come back to it.

**Faculty Senate President Richard Meek:** Can Senator Leslie forward comments to Stewart and to Senator Farmer on moral turpitude?

**Senate Lewis Held** notes Faculty Status & Welfare committee report is finished.

**Senator Michael Farmer:** Requests deferring his report in interest of time as meeting is now at 1 hour 45 minutes.

## VII. Announcements from the Faculty Senate President, Richard Meek.

President Meek enters a plea for Faculty Senate members to consider running as a Senate Officer. Faculty Senate President and VP are now funded.

Administration Evaluation : He would like to get a good representation also on administrator evaluations. It will need to close soon.

Sam Segran at IT: Assisting to improve means for Faculty Senate to communicate to faculty.

Would like to Invite Chief Financial Officer for overview of budget to a Faculty Senate meeting.

Capital campaign

Faculty Senate President Richard Meek requests other announcements. **Hearing none, adjourns the 301<sup>st</sup> meeting of the TTU faculty Senate. Respectfully submitted to the Faculty Senate by Michael Farmer, Faculty Senate Secretary for 2010-2011.**