

June 30, 2006
UDMPU Board Meeting
C&F 119
12:10-3:00

Present: Mike Canjar, Cindy Gillham, Heather Hill-Vasquez, Clint Hirst, Doug MacDonald, Stephen Manning, Kris McLonis, Carol Weisfeld, Larry Zeff

Excused absences: Maureen Anthony, Mary Higby, Joette Lambert, Prasad Venugopal

The meeting began at 12:10 PM. In Higby's absence, McLonis agreed to take the minutes for this meeting. The board members in attendance decided to postpone the review of the minutes from May 9 until the review could be made with Higby present.

Message from Father Stockhausen

There was some discussion about the message that Father Stockhausen sent to the University community on June 26 announcing that arrangements have been made for relocating the Dental School downtown. It was noted that only passing mention was made in the message of any projects or similar efforts for the McNichols Campus. The text of the announcement included the following:

“Within the context of keeping the Law School at its current Riverfront Campus location and an updated campus master plan for the McNichols Campus, the Board [of Trustees] approved moving ahead in a phased approach (subject to financial performance and fundraising success) with proposals related to the McNichols and Riverfront campuses, weighing academic and facility needs in relation to the University's debt capacity.”

This passage implied that any efforts that might be made to improve facilities at the McNichols Campus were low in priority, and only to be considered after other projects. This was insulting, especially in light of the TIAA-CREF contribution giveback that the UDMPU membership had agreed to a year and a half ago in order to help the University achieve a balanced budget for the purpose of applying for financing. (There had been an understanding then that the McNichols Campus would directly benefit

from this gesture; and the University administration has never since denied, when confronted, that such a promise had been made.)

A motion was made to raise this issue of expected compensation for the UDMPU membership's good-faith giveback at the next Executive Liaison meeting scheduled after the August 18 Convocation and, if the outcome of that meeting was unsatisfactory, to compose and send a letter expressing that dissatisfaction to the President and the Board of Trustees as well as release a special issue of the Faculty Leader to the UDMPU membership explaining the situation. The motion was seconded and passed.

Memorials for Jerry Curtsinger and JoAnne Isbey's daughter

A motion was made to donate \$500 in Jerry Curtsinger's name and \$250 in the name of JoAnne Isbey's daughter, Mimi Isbey Butterfield, to the Faculty Memorial Scholarship fund. The motion was seconded and passed. It was noted that anyone wishing to make personal contributions also had the option of making donations to a college fund for Curtsinger's son (checks to be made payable to his widow, Laura Curtsinger) or to the American Psychological Association in Butterfield's name.

Treasurer's report

Hirst reported that there is currently \$ 114,804.71 in the UDMPU's bank accounts. He also gave an update on the situation of two delinquent members. At this point, one of the two has made good on his/her payments. The **SECOND**, who has a three-year history of stonewalling any attempts to complete and submit the necessary paperwork and to pay dues, has written a check covering dues for 2005-2006. However, until this member also provides a complete membership application his/her dues cannot be credited. This member has expressed a desire to become a fee payer; but until the application is completed and all the dues which s/he owes from 2003-2006 can be deposited, that option is not available.

Although under normal circumstances a faculty member cannot be forced to join the UDMPU, in this case doing so in the short term (until this coming August, when the member could then apply for fee payer status) is the only way the member can clear up his/her current delinquencies and avoid being fired. A motion was made to instruct Hirst to issue a letter to this faculty member by July 3 explaining that s/he has fifteen days to correctly complete and submit an application for membership (on a temporary basis) and to make full payment for 2003-2005, and further explaining that failure to comply will result in a letter being sent to the University administration requesting termination of the faculty member's

employment. (Sections 3.2 and 3.7 of the current UDMPU contract would be cited in Hirst's letter to the faculty member.) The motion was seconded and passed, along with acknowledgment of the hard work on Hirst's part in assuming the bookkeeping duties of the Treasurer position and keeping after non-payers in the membership.

Hirst also mentioned the case of several engineering technicians who face the possibility of their work hours being cut as a result of a decrease in funding by outside organizations. The UDMPU contract was consulted to confirm that these technicians are represented by the contract; they have been paying union dues.

A question was raised regarding the new percentage scale for union dues. At the MEA representative assembly on April 29 and 30, dues were set at 1.5% with a \$620 cap. But this does not relate to dues paid to the National Education Association. McLonis said that the NEA assembly is taking place in the coming week and that she would check online for any news regarding dues deliberations at the assembly and report back to the board.

A motion was made, seconded, and passed to accept the Treasurer's report.

Grievance report

Manning reported on the case of a member who had filed a grievance as an individual for a health/safety violation. Manning had attended the Step 1 and 2 meetings regarding this grievance as an interested observer (to ensure that no decisions in direct conflict with the UDMPU contract were made) and to keep abreast of the proceedings should the member request the UDMPU file for arbitration. Although the member decided that s/he wished for the matter to go to arbitration, s/he did not request arbitration within the permitted time frame; therefore, the grievance cannot and will not go any further.

Another faculty member who had been denied promotion and tenure had wished to grieve this decision. Manning reported that he had advised this faculty member to consult section 5.8 (c)(ix) of the UDMPU contract as to how an objection to the decision could be made. Currently the contract language stipulates that a faculty member denied promotion and/or tenure would have grounds for objecting to the decision itself only if the University Tenure and Promotion Committee was in favor of the faculty member receiving promotion and/or tenure but the Vice President of Academic Affairs had opposed the action. Weisfeld reminded the board members in attendance that, while the faculty member may not be able to grieve the

decision itself, if there were any concerns about the tenure/promotion process not being followed correctly, an objection could be raised on those grounds.

It was pointed out that, because of the confidentiality that is at present supposed to be maintained throughout the tenure/review process, any problems related to an individual case are brought to light only because someone spoke out of turn. Manning suggested that any future complaints of this nature be phrased to make no mention of specific blame (the President of the University would be privy to the details), so that confidentiality can be maintained as much as possible. MacDonald expressed the need for a more transparent approach to be adopted for the tenure/promotion process, and it was agreed that this would be an important issue to address in the next round of contract negotiations.

Executive Liaison report

Canjar reported that a faculty member who had been in a non-tenure-track position for two years and then in a tenure-track position for six years (and is now in the critical year during which it is necessary to apply for tenure) had requested a one-year suspension of the tenure clock. The purpose of this would be for the faculty member to complete his/her dissertation. The faculty member recently had some personal experiences, including two deaths in the family, which prevented him/her from completing the dissertation sooner. For financial reasons, taking an unpaid leave of absence (which would have automatically put the tenure clock in suspension) is not a viable option for this faculty member.

It was noted that this faculty member had been hired without having completed a dissertation and had ample time in the eight years since (two non-tenure-track, six tenure-track) to complete the dissertation. Further, making an exception in this case would set a potentially dangerous precedent in which a person on tenure track could conceivably and indefinitely postpone completing the requirements for tenure and yet remain employed. The motion was made, seconded and passed not to suspend the tenure clock for this faculty member.

Canjar also informed the board members in attendance that Barbara Schirmer, the Vice President of Academic Affairs, had made the decision to move the E-crit program from the College of Liberal Arts and Education to the School of Architecture. Nothing in the UDMPU contract prevents such a decision or move, but this type of decision-making on Schirmer's part might very well be a shared-governance issue. Hirst observed that Schirmer had

claimed the right to make an executive decision. (In the case of the E-crit program, Schirmer had believed that there wasn't enough time to put the program through the review process and that the program would be more profitable to the University if it could be moved into the School of Architecture sooner.) However, it was expected that a president or vice president would very seriously take the advice of the faculty into consideration, no matter what decision s/he ultimately made.

It was recommended, and the board members in attendance agreed, that there should be a general membership meeting in early September to consider the governance structure and discuss whether to vote in favor of it or against it in its current form.

A motion was made, seconded, and passed to accept the Executive Liaison report as presented.

Election of MAHE representative

McLonis said that the next scheduled MAHE meeting would take place at the end of September, so the election of a representative to replace Curtsinger could be postponed.

The meeting was adjourned at 3:00 PM.

Respectfully submitted,

Kris McLonis