AGENDA ITEM: I. Call to Order 12:00pm


Single Meeting Proxy: Eugene Moehring for Andrew Bell, Marcia Ditmyer for Susan VanBeuge; Sue Mueller for Dana Williams; Gillian Naylor for Joel Wisner.


AGENDA ITEM: II. Approval of Minutes
October 16, 2012, Minutes approved unanimously.

AGENDA ITEM: III. Guest Speakers

A. Mr. John White, Executive Vice President and Provost
   1. Announcements. Finished approving College search plans. The colleges will try and replace departures this year - there are a couple of colleges that are short and have more openings because they were short before. The Deans have been instructed to not replace intermediate departures. There are 68 searches open currently...8 or 9 nursing positions but not all are expected to be filled. The goal after a heavy hiring year is to make about 50-68 hires this year. Try to ensure a diverse applicant pool.

   2. The Graduate College/Office of Research split. A consultant was solicited because of problems within the Graduate College. The consultants suggested a split from the Office of Research. Whatever is done, the current organization will remain for this year. Looking to make the changes in the future. The reason it has been combined was due to
shared support staff. So any split would increase the cost because of the need for additional support staff.

3. **Dean searches - update**...Lee Business School, Law School, Education, and Urban Affairs are currently going on. They will continue to work on filling the open positions.

4. **Disruptive Technology.** Vice Provost Brown will begin work with committee on use of technology at UNLV. The committee is chaired by Mark Fink. The committee is charged to focus on how technology will help us improve our outcomes. Both Mark Fink and Provost John White sit on the Chancellor’s taskforce and feel that the Regents want uniformity across the system, which is okay as long as they do not interfere with curriculum content and rigor. This is not easily articulated across campuses regarding transfers, etc. There are 4 more meetings, which are designed to give input before the Chancellor makes a recommendation to the Board of Regents.

**Question: Senator Culbreth** - when you mention the courses taught, an important consideration is various accreditation agencies.

**Response:** They are looking more at the mechanism rather than curriculum control, but we do need to watch out for those types of things.

**Question: Senator Filler** – what faculty have expressed is their fear that curriculum will be outsourced, that we will offer standard courses across the system.

**Response:** That is a valid concern but I have not heard that. Where I would be worried is if I was at the rural areas. We want to ensure our integrity...they might be more concerned about outsourcing. But we are pressing for integrity at these meetings.

**Question: Senator Bein** – this is an informational question only. First, we recently had this harassment training, the question was raised by faculty about the expected frequency and who makes it mandatory. Second, there is some concern that the video expressed things that were indicated as being offensive and really might border on impinging on academic freedom. **Response:** Harassment law is not the clearest, but it does trump academic freedom. The key areas include race, religion, etc. Not sure it will be a rolling process, but it comes from my office. So that is why this training was implemented. Sexual harassment has been wide spread on campus and it needs to be stopped. If we get to the point this materializes into a lawsuit, it might turn into disciplinary action. It certainly would make a difference in lateral hires for example.

**Elda Sidhu (General Counsel) response:** Just because it doesn’t rise to the level of federal law, doesn’t mean it doesn’t rise to the level of NSHE and UNLV policies. We are
looking at annual training. Maybe not the entire presentation, but some sort of refresher.

5. **Conflict of Interest Policies.** We have been looking to revise the conflict of interest form. Rather than conflict of interest, it would look at all activities. Currently it isn’t clear. Any outside activities should be reported before you engage in them. The current conflict of commitment is fairly generous which allows up to 1/5 of your time. But we want to include especially the outside teaching activities while still teaching here. My position is that being a regular teacher at another institution is a conflict. If you are doing conference work or work while visiting another country and they ask if while you are there you want to teach, that is okay. But in any case, it has to be disclosed. What is not a benefit to UNLV is teaching online at a competitive institution or teaching at other NSHE institutions while teaching here. Currently we are a school with not enough faculty. We have obligation to grow our research program with the small number of faculty. We can’t argue we need more faculty when the current faculty are spending time at other institutions. Noticed that some signed affiliates with outside programs which also raise some difficulties. We are doing this to avoid what can be embarrassing situations. The requirement is that you disclose compensation. This is about campus culture and we need to clarity.

**Question: Senator Unger** – Is this open to interpretation? What about MFA programs which can be very prestigious. This seems like a standard in fine arts. They also provide a base of students. **Response:** That is the kind of thing that is okay.

**Question: Senator Unger**-However, there are some faculty that were hired in 2005 and forward who are underpaid and now have less than desirable health insurance. This is really the only way they can make it and provide for their families. This will now put us at risk of losing those. Is it really fair when this is the issue?

**Response:** That is a very difficult situation, what kind of institution are we cultivating when our students complain that our faculty are not available. **Senator Unger** – as long as the professor is doing all they are expected, what business is it of this university?

**Response:** The requirement is to report and produce a management plan. There is a continuum and we need to determine what is considered a conflict of interest. My interpretation is there is a conflict in teaching. **Senator Unger** - What you are saying, this is analogous to saying that in an era when there is a food shortage, you can no longer tend a garden. Until the basic problem is fixed, an undue burden is placed on these individuals. Junior faculty are all now at risk. **Response:** I don’t see it that way or a way out of it. How do we get out of this? Not sure there is a convenient time to say we can come back to this issue.
**Question: Senator Filler** – I want to underscore what Senator Unger said. I had a couple faculty who said when they went to P&T presentation, that President Smatresk told them only to teach 1 course each summer - but they are saying they cannot make it on that. We are all adults, so we all choose to do what we need to in order to meet the requirements. **Response:** I sign a great deal of overloads. We are trying to figure out the situation now on overloads. This is a wedge issue that faculty like to use against us.

**Question: Senator Opfer** – Until you mentioned it, I have been filling these out and then later I might speak at a conference and in exchange for doing the 1/2 day course they will pay for the registration and travel registration. But many times we don't know ahead of time. Do you have to continue to fill out amendments throughout the year? **Response:** In general, we are not talking about conference participation, etc. Part of the difficulty is that we have tended to do these on a yearly cycle in the fall which creates the idea that it is not a rolling process. The real goal is to manage all outside activities.

**Question: Senator Young** – Should we not simply put the focus on clearly defining workload expectations, so it isn’t individual analysis. If I am meeting or exceeding my workload, whose business is it? **Response:** Part is providing faculty to our competitors such as University of Phoenix. It is still an institutional concern.

B. Mr. Gerry Bomotti. PEBP has made a step to restoring a middle tier.

1. **PEBP.** Been focused for some time. Focusing since the healthcare benefits have declined. The board has asked for middle-tier to be effective July 2014. We don’t know if that will serve our employees. Hope they can work something out to meet and look at the structure of the middle-tier.

2. Finally received the data for last 2 years which we hope to help in this process. One of the root problems was lack of data to help get good prices from the providers. The consultant looked at all that data for this 2 year period. It is clear when looking at the expenses and the revenue, (employer and employee) more in terms in revenue that was contributed than what has been pulled out of it. We will use that to help with legislators. An ongoing issue, goal to get reasonable healthcare package.

3. **RPAC** - look at the defined contribution retirement plan. The main goals to look at that we can all save our money - on administrative costs. Looking to see if there is a way to get a cheaper price for that part. Whether can save costs on quarterly reports. Does it make sense to restrict the number of options. Reality 80% is in 10 options and most are in TIAA-CREF. The consultant came up with comparative data,
but they were not like us - such as they contribute to Social Security and/or multiple retirements. We have concerns about restricting employee choice. We don't want them to have preconceived ideas that 1 vendor is good.

**Question: Senator Sewell** - For those with more risk tolerance, we would want to keep that as an option, because we need to raise more money for retirement. **Response:** TIAA-CREF also has those types of programs, but there isn't any reasonable data to suggest going to one vendor is better. So we want to make sure all the voices are heard before making that difference.

**Question Senator Filler:** This is our money, so we are the ones paying the costs aren’t we? I always get suspicious when someone comes and says to me they know a better way for me to save money. **Response:** in the end of the day we look at the net. So that is a choice people make. So, yes, that is the concern that there is a preconceived notion of restriction. Suspect will have input to the Chancellor.

4. **Master Plan.** Working on since April. Go to the website and see the visuals. They will all be updated in about a week. Approval by the Board of Regents is expected on Nov 30th.

C. President Neal Smatresk – Things are quiet. We are moving forward following a great hiring season, Gen Ed, etc. Going to focus on admissions and recruitment. CoRE has been kicked off. Getting back to basics. Trying to help and make sure scholarship going strong. Going to talk about recruiting. We have lost a lot of people. So we have to have strong recruitment effort. We are doing a remarkably good job in areas such as financial aid. Need to ramp up the recruiting levels. So we want to make remarkable strides to recruit scholars. Another program is an all out effort to recruit high school valedictorians. ...they will be offered millennium and president’s scholarships. Since a significant portion of income flow is from tuition rather than state funding. If bringing in top students need to ensure top faculty. Faculty mentoring program seems to be off to a good start. Helps with the cultivation and helps them understand the P&T system, etc.

**Question: Senator Robinson** – I don’t want to beat the dead horse. Here we are having too many people going out seeking other sources of compensation. It is easier to go off and teach elsewhere. We have not come up with other models. Why have we not instituted a reward system? We have people go outside our family to make money. Why are we not taking care of our own people inside our own institution?
Response: You question is not unfair. For every cut it gets worse. We have made spot adjustments because we are about to lose someone. When you don't have the money and don't have the infrastructure coming up with a reasonable amount of money - even if just restoration of cuts - the amount of money that we have to put into it, we would have to serve fewer students and student loss will cause us to make cuts. It is a vicious cycle. At least for the scholarly efforts we have given some last year. We are hoping we get some restoration by legislature. Senator Robinson: giving one person a raise is not always helpful, that just hurts morale. I am talking about one time compensation or other mechanisms to help faculty. Response: Not everyone agrees that allowing teaching of more classes is good. You are talking about something that needs balance. Have had conversations during the period of cuts to lighten up and loosen up a bit. Now because of that, the new provost has to clean up the mess. Sometimes they are not always in the best interest of the faculty.

Senator Filler: This tends to be a circular thing. They can go to the other institution because of compensation. Response: The circularity piece I agree with you. We want to keep the great faculty here and some that they have tried to recruit. There are market forces. We are going to put effort into this legislative session. We do need to have some discussions on balance. These are not simply problems and make it worse when there are no resources.

Question: Senator Bein – You brought it up yourself - the issue of equity. Accreditation agency came in and said it isn't right now. What is your feeling on this? Response: Of course, we think we should have equity. If you do that right, you don't just do time and rank, but have to do merit. Who do you trust to do that for you? It is a hard exercise. It creates controversy. It is really difficult to do this. You can't talk equity without merit.

Question Senator Harry – I have a non contentious question - where do you see this university in 5 years? Do you see us expanding...or leaner with more select students? Response: be a bit leaner, and more select students. Drop the bottom 5%. If we did more, we would lose so much money. So the best way to look at it...how can we grow and how do we increase the quality of students. I think we should move back to 30,000 but not so rapidly...so those who are not college ready would go to other institutions. At 30,000 you no longer tend to grow a lot. Simultaneously increase the type of student - the top sector of the market. Have to reclaim the high ground. 50% increase in our endowment over past few years.

AGENDA ITEM: IV. Reports
**Report on Ombuds from Senator Maldonado.** We are coming down to the end of our work. We had 10 committee members. We received 8 apps on the deadline and 2 after; 2 were incomplete. Of the 6 good applications, 3 were administrative faculty and 3 teaching faculty. Three applicants were invited to interview - 2 teaching and 1 admin faculty and the recommendation is due today and we will meet with President Smatresk.

**Chair's report** will be sent by email.

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**AGENDA ITEM: V. New Business**

**New business: Senator Sewell** - Where is fiscal affairs on the quarterly adjustments? They are due in the December committee meeting. **Chair Sumpter:** Will ask for a report at December meeting.

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**AGENDA ITEM: VI. Special Presentation - Active Shooter on Campus**

**Chair Sumpter:** Mr. Sandy Seda, Assistant Chief of Police, Re: Surviving Active Shooter in workplace presentation. He has agreed to come back.

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**AGENDA ITEM: VII. Public Comment**

**Public comment...Senator Montgomery** - food pantry - provides food for any UNLV faculty or staff or student. Many students are homeless. All proceeds to the food pantry on weekend of November 15, 16, and 17 the first year experience Hotel class is doing canned food drive. Senator Robison inquired how his class can participate for extra credit.

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**AGENDA ITEM: VII. 2:03pm Adjourned**

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Regards submitted,
Marcia M Ditmyer,
Secretary of Faculty Senate
November 7, 2012