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**USU FACULTY SENATE
MINUTES
MARCH 1, 2010
Merrill-Cazier Library, Room 154**

Ed Heath called the meeting to order at 3:00 p.m.

Approval of Minutes

Steve Burr moved to approve the minutes of February 1, 2010, Vince Wickwar seconded. Motion passed unanimously.

Announcements

1. Roll Call – be sure to sign the roll.
2. Undergraduate Research Program – Celebrating its 35 anniversary this year and is the second oldest in the country.

University Business – President Albrecht.

Following the interim review visit a few weeks ago, USU has received a letter dated February 12, 2010 from NWCCU reaffirming our accreditation. There was one recommendation regarding assessment. The next interim review will be Fall 2012.

The CEU/USU merger vote in the House will be Thursday, March 4 and is expected to be unanimous. A Chancellor Search Committee has been formed; it is a 6-person screening committee with representation from our campus, the Commissioner's Office, CEU/Price campus and CEU/San Juan campus.

There are less than two weeks remaining in the legislative session and the State budget issue remains to be resolved and has been on a "roller coaster ride". It is still expected that the USU budget will be something above the 9% cuts already enacted but below the 17% cut that was proposed.

President Albrecht will be in Washington, DC again this week in meetings regarding the new Ag building for USU.

The review of the Provost is moving forward. It will be conducted by an outside company -- The IDEA Center. It will include a comprehensive electronic survey that will go to all full-time faculty members. A preliminary email will be sent to faculty informing them of the process and asking for their participation. Information will also be collected from Trustees, administrators and others, but that will likely be handled internally. The review is expected to be completed by Spring Break so the report will be ready before Commencement.

Consent Agenda Items

A Motion to approve the consent agenda items was made by Steve Burr, Doug Jackson-Smith seconded, motion carried.

Information Items

Academic Freedom and Tenure Committee Report. – Tony Peacock. Richard Jenson will be the next chair of the committee effective the end of June. The AFT report addresses several concerns about the AFT committee. In the past year, there were 12 hearings and 6 pre-hearings and it became very time consuming for the 12 members of the committee. The concerns are listed in the Issues section of the report. Most AFT members spent about 80-100 hours on AFT issues in the fall. Two people were involved in three hearings and also chaired panels. All other members served on at least two hearings, which required reading the statements and responses, dealing with procedural matters, attending hearings, and writing and submitting reports. The AFT committee submits a few possible solutions:

- The committee membership be expanded to help reduce the workload.
- Committee members could receive a reduction in course load to offset the time requirements of AFT.
- Assign an administrative assistant to assist with scheduling and coordinating hearings.

There has been a change in the calendar schedule to run continuously thru the summer. Nine of the twelve members of the committee are on nine-month contracts and there is a lot of opposition from the committee to have to spend their summers dealing with these issues.

AFT also questions if membership should be limited to full professors. Decisions have to be made against administration often times, possibly against your own dean, department heads, and faculty members in their own department, which puts associate professors in a difficult position. An alternative may be to not have AFT members sit on grievances that impact their own college.

There is a question about Section 406 of the code as to what constitutes “arbitrary and capricious conduct”.

The AFT committee also questioned whether lawyers should be involved in the process. The upside is that grievants are better prepared and know what the rules are. The downside is that the lawyers tend to transform what is supposed to be an administrative process into a civil action. Would it be better to appoint an advocate instead?

Data suggest that there are very few successes in the grievance process. It is very costly with limited benefits. Should the process be scrapped all together? Perhaps better mentoring would help avoid some of these situations.

Human Resources Policy Changes – BrandE Faupell. BrandE Faupell and Dave Cowley presented a few of the changes that Human Resources is recommending to the Faculty Senate for their information only. The Senate may offer input and opinions but the policy decisions are made by upper administration.

FMLA Policy Revision. Human resources is recommending that parents-in-law not be covered under the FMLA policy. This would bring the policy in line with the minimum federal requirements, which ensures job protection for 12 weeks when FMLA leave is needed. BrandE said that in all the research she had done, they had only been able to find one instance of use of the parents-in-law in policy. Senators questioned if taking it out of policy produces less benefit than the good will of leaving it in the policy, and with no data provided by HR to reflect significant cost savings it would be taking away a benefit for administrative convenience only.

A motion was made by Doug Jackson-Smith that the sense of the Faculty Senate is to retain the designation of parent-in-law in the FMLA policy as a benefit. The motion was seconded by Dorothy Dobson and passed unanimously.

Long-term Disability Health Insurance Coverage Revision. USU’s current long-term disability policy allows for the employee to remain on the USU health insurance policy indefinitely at no cost. The proposed change would allow employees to keep their health insurance for one year at

no cost. For years two and three the employee would pay the entire premium plus a 50% surcharge after which the employee would no longer have access to the University Health Insurance. People who are currently on LTD would be grandfathered in.

Dave Cowley stated that in drafting this proposal they worked with a health benefits consultant and it is highly unusual for an employer to offer this generous of a benefit. The cost of this benefit comes right back to the employees of USU because we are a self funded. Over five years there have consistently been about 70 individuals using this benefit at a cost of \$800,000 to \$1.3 million. The benefit is available to all employees who go on long-term disability regardless of their length of employment. Most of the peer institutions offer 18 months of COBRA coverage. North Carolina allows for transfer of LTD employees to the state insurance plan. Oregon State University employees can remain on the plan as long as they are disabled but they pay the entire premium.

Vance Grange stated that as chairman of the BFW committee he had received twelve communications from faculty members plus the BFW committee and they are uniformly opposed to this change. In the third year people would probably apply for individual coverage, which would be difficult for them to obtain. Therefore, they would have to go to the Utah Insurance Pool which is not medically underwritten, which would be very expensive. This is a very significant benefit for the relatively few who would use it.

A similar number of faculty in the College of Agriculture have contacted Ilka Nemere, again unanimously opposed.

Senators questioned what options people would have if they lost their health care coverage. BrandE said that most would qualify for social security disability, which would provide access to Medicare and Medicaid coverage.

Scott Cannon called for sense of the senate on the issue. Betty Rozum seconded.

More discussion included comments on finding some kind of middle ground rather than forcing people off the policy. Employees have gone without raises in pay for many years at the University in exchange for maintaining benefits. Tami Pyfer asked if there could be some type of vesting period implemented. BFW would like to have this presented to them at their next meeting. Steve Burr reminded senators that Faculty Senate is not involved other than to offer input. The faculty does not have enough information.

A substitute motion was made that more information needs to be shared with the Senate and other faculty so they can provide more feedback, and seconded by Andy Walker.

A vote by raise of hands was taken in support of the substitute motion, For 13, Against 15.

A vote was then taken in support of the original motion. It passed unanimously.

Key Issues and Action Items

Committee on Committee Elections – Betty Rozum. Flora Shrode was self nominated to serve on the Committee on Committees and a second was received. A vote of acclimation was unanimous.

PRPC Code Changes Section 401 – John Engler. Because of the meeting running past its scheduled time and seeing that the Senate lacked a quorum, it was decided that this business will be presented at the next Faculty Senate Meeting.

Adjournment

Meeting adjourned at 4:45 p.m.