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**FACULTY SENATE MEETING
MINUTES**

January 21, 2009

Faculty Senate President Laurence Branch called the meeting to order at 3:00 p.m. Due to the fact that both President Judy Genshaft and Provost Ralph Wilcox were scheduled for a conference call with the Board of Governors (BOG) at 4:00 p.m., the formal agenda was suspended so that they could present their reports before leaving.

REPORT FROM PRESIDENT JUDY GENSHAFT

After welcoming everyone back to the beginning of the spring semester, President Genshaft reported on the following items:

- Retention rates from Fall Semester 2008 to Spring Semester 2009 are the highest at all levels, on all campuses than they have ever been.
- The Special Legislative Session has resulted in mandated cuts for the current fiscal year, 2008-2009, totaling 15 percent. The fiscal year started with a 10.6 percent cut and a further permanent 4 percent cut brings it to approximately the 15 percent predicted a year ago. In addition, mandated cuts were also made to Centers of Excellence and the Energy Consortium. Within the next few days, President Genshaft will disseminate a message on budget reductions to the university community. In addition to information on the mandated cuts, she will also announce the need for a non-essential spending and hiring freeze for the rest of this year. She clarified that if approval has already been given for new hires the process should continue to move forward.
- The BOG will be meeting on January 28, 2009, in Tallahassee. On the table will be the formal approval of the three new Ph.D. programs: government, history, and sociology.
- Congress is working on a federal stimulus package which includes funding for “shovel ready” projects. A list of such projects will be submitted by February 15.
- The Diversity and Equal Opportunity Office is hosting the Sixth Annual Diversity Summit on February 5 to be held at USF. Everyone was invited to attend.

REPORT FROM PROVOST RALPH WILCOX

After extending a welcome back to the Senators, Provost Wilcox focused his comments on the status of the Patel Charter School at USF by starting with an historical background. The Charter School was founded as a Direct Support Organization (DSO) in 1998. It was originally housed in MOSI for five years and later moved onto the USF campus in a building and land that belongs to USF, and the school is still there. Today it is known as the Patel Partnership School, a partnership between USF and Hillsborough County School District. Its mission is to serve the high needs of underprivileged, low income children. Since it is a Charter School and DSO was a Charter School, no university or state monies flowed into that school. The school’s operations

were supported on the basis of two revenue sources: enrollment funds and private gifts. Prior to this year, it was learned that based upon fourth and fifth FCAT scores, the school was going to be graded as an F. It became clear to the Board that given the limited resources under the constraints of a Charter School and DSO arrangement, USF was not able to provide for the needs of those high demand children. Therefore, the decision was made in late July, 2008, by the Board to recommend withdrawing the charter granted to the Patel Charter School by the Hillsborough County School District and merging it with the Hillsborough County Schools.

The status today is what was a Charter School has had its charge withdrawn by the request from the Board and in agreement with the Hillsborough County School Board. It is now administered by the Hillsborough County Schools in partnership with USF. USF and the Superintendent of Schools believe that the children today are receiving a much more appropriate education than that which USF was able to afford given the lean resources that did not allow the hiring of teachers that were competitive with teachers elsewhere across the Hillsborough County Public Schools.

President Genshaft added that USF student interns could not work in the charter school due to charter school restrictions. Now that the Hillsborough County District has the partnership school, USF student interns are able to work in the school under the supervision of senior, qualified teachers. In addition, Hillsborough County has resources to offer after school programs.

Provost Wilcox summarized that the problem was with insufficient enrollment funds and private gifts received versus what was needed to work with the type of students attending the school. The DSO Board (consisting of faculty from across USF as well as community leaders) after looking at all options and considering the data, made the decision that the most effective way of meeting the needs of the students was to partner with the Hillsborough County School District, thereby morphing the school from a charter into a partnership.

Senator Donchin, chair of the Council on Educational Policy and Issues (CEPI), reported that in connection with the change of the status of the Patel Charter School CEPI conducted a detailed examination of the nature of "Direct Support Organizations (DSO)." There is a general consensus, both by CEPI and by the administration, that the DSO framework is not suitable for entities that have an educational and scholarly mission. Without prejudging decisions made long ago, under different circumstances, CEPI recommends that entities with educational and scholarly missions should be organized under the aegis of Academic Affairs. In addition, CEPI notes that as the primary advisory body to the Board of Trustees, the Senate and its Councils do have DSO's within their purview.

Due to a time limitation, President Branch commented that this topic may be revisited by the SEC.

APPROVAL OF NOVEMBER 19, 2008, MINUTES

At this time, the meeting returned to the formal agenda. A motion was made and seconded to accept the November 19, 2008, Minutes as presented. The motion was unanimously passed.

REPORTS BY OFFICERS AND COMMITTEE CHAIRS

a. Faculty Senate Elections – Michael Barnett

Secretary Barnett presented the 2009/2010 Election Voting Units and Apportionment for approval so that the process can begin. A motion was made and seconded to accept the apportionment as presented. President Branch pointed out that although there was a tie between Sarasota and the Libraries, for historical purposes the extra apportionment was given to the Libraries. There was a call to question. The motion to accept the voting units and apportionment was unanimously passed. It will be forwarded to Provost Wilcox and President Genshaft for approval.

b. Proposed Amendments to Faculty Senate Constitution – Michael Barnett

Secretary Barnett explained that the Bylaws Committee is attempting to do an overall revision of the Constitution. Following is the first proposed amendment:

Proposed Amendments to Constitution to Clarify Senate Membership and Domain
Approved by Bylaws Committee, Jan. 16, 2009

Whereas the Faculty Senate is the voice of the faculty to the administration, our membership should be composed of the faculty and not the administration. However, current language in our Constitution fails to make this distinction adequately. New elections are impending, bringing with them the possibility that administrators could be elected to the Senate, with terms of up to three years. Thus, it is imperative that we act quickly to correct this oversight in our Constitution.

Therefore, Article II(C)(1) of the Constitution of the Faculty Senate should be amended by adding the following statement:

Faculty members who hold administrative appointments as president, provost, executive vice president, vice president, associate vice president, assistant vice president, vice provost, dean, associate dean, and persons acting in the above capacities are not eligible for membership in the Senate for the duration of their administrative appointments.

Moreover, the Faculty Senate is a system-wide entity, to include USF Health, and Senate actions are relevant to the Senior Vice President for Health. However, current language in our Constitution fails to mention the Senior Vice President for Health, as the Constitution was drafted when what is now USF Health reported to the Provost. As a result, even though USF Health encompasses nearly a quarter of USF faculty and Senators, the Senate has an undefined relationship with the Senior Vice President for Health. This leads to confusion regarding system-wide governance and hampers our ability to take timely and effectively action within our jurisdiction. Thus, it is imperative that we act quickly to correct this oversight in our Constitution.

Therefore, Article III(A), Article IV(A)(1), and Article V(B) of the Constitution of the Faculty Senate should be amended to specify the Senate’s relationship with the Senior Vice President for Health. In particular:

Article III(A) should be amended to change *from* its current statement:

“The Senate constitutes the principal advisory body to the President and Provost of the University . . .”, *to*:

“The Senate constitutes the principal advisory body to the President of the University, Provost, and Senior Vice President for Health . . .”

Article IV(A)(1) should be amended to change *from* its current statement:

“The Executive Committee of the Faculty Senate . . . meets with . . . the President of the University and the Provost on a regular basis . . .”, *to*:

“The Executive Committee of the Faculty Senate . . . meets with . . . the President of the University, Provost, and Senior Vice President for Health on a regular basis . . .”

Article V(B) should be amended to change *from* its current statement:

“The President of the Senate . . . shall call meetings at the request of . . . the President of the University, the Provost . . .”, *to*:

University, the Provost, or the Senior Vice President for Health . . .”

Secretary Barnett explained that this proposed amendment deals with two different aspects of the Constitution and should be treated as two separate issues. The first amendment specifies who is and is not a member of the faculty for purposes of serving on the Senate. A motion was made and seconded to approve the first part of the proposed amendment. After a brief discussion, there was a call to question. The motion passed with three negative votes.

The second portion of the proposed amendment clarifies the Senate’s relationship with the Senior Vice President of Health. A motion was made and seconded to approve the second part of the proposed amendment. The floor was opened for discussion. There being none, the vote was taken and the motion was unanimously passed.

c. Proposed Charge Revisions for Athletics Council – Ellis Blanton

As chair of the Committee on Committees (COC), Senator Blanton presented a proposed revision of the charge for the Athletics Council. He explained that the changes are intended to bring the work of the Athletics Council more in line with the expectations of the NCAA. As the requirements to maintain NCAA certification have evolved, there is a need for more involvement of the faculty and others in participation in a number of detailed areas that are outlined in the three major areas of the charge. The work of the Council will be organized primarily in three subcommittees that will work with the athletics staff, with each of the subcommittees having at least one student, one staff member, one administrator, and three faculty members.

The proposed changes in the membership would accomplish this task. The changes came to the Senate floor from the COC and SEC with a seconded motion to accept. One grammatical change to the charge was recommended. The motion to accept the proposed changes as amended was unanimously passed.

d. Proposed Charge Revisions for Standing Committee on Research Misconduct – Ellis Blanton

COC Chair Blanton brought before the Senate proposed changes to the charge for the Standing Committee on Research Misconduct (SCRM). He explained that the revisions bring the charge in line with the committee's policy statement and were presented with a motion to accept from the COC and the SEC. The motion was seconded and unanimously passed.

OLD BUSINESS

a. Discussion and Vote on Resolution to Nominate and Appoint Faculty to BOT Workgroups – Larry Branch

Consistent with Article X of the Bylaws, President Branch introduced the following resolution to the Senate at the November meeting, with discussion and a vote to take place at the January meeting. He explained that within the BOT there are three workgroups each of which has faculty representatives. However, there is no vehicle to have the faculty representatives on these workgroups report back to the Faculty Senate. There are no rules or regulations regarding the term limits, and the assumption is that the appointment would be for two years. Clarification is being sought by both the Faculty Senate and the Provost's Office on the issue of term limits. The Provost's Office would like to maintain the ability to make all recommendations to the president of the university who then would make recommendations to the BOT about who the faculty members on the workgroups should be. In addition, the Provost's Office has informed President Branch that it feels faculty and administrators are appropriate individuals to serve as the faculty representatives on the BOT workgroups.

The following Resolution was passed unanimously by the USF Faculty Senate Executive Committee on October 29, 2008, and will be offered at the full Faculty Senate meeting on November 19, 2008.

Whereas the University of South Florida Board of Trustees has the responsibility to establish policies at the University of South Florida,

Whereas the University of South Florida Faculty Senate has the responsibility to advise the USF President, Provost, and Vice-President for Health on matters that affect the university,

Whereas the University of South Florida Faculty Senate is the elected body of the faculty and is the sole representative body of the faculty,

Whereas the University of South Florida Board of Trustees has organized itself into three workgroups that focus on the attainment of institutional goals adopted by the Board of Trustees,

Whereas the Board of Trustees seeks to ensure that the actions of the Board are informed by the experience and perspectives of faculty, and the Board has established the practice of naming faculty liaisons to each workgroup,

Whereas the Board of Trustees seeks to support the principle of shared governance,

Therefore, be it resolved that henceforth the duly elected representative body of the University of South Florida faculty, the Faculty Senate, through its duly elected President, shall nominate all faculty liaisons to the Board of Trustees' workgroups, and

Be it further resolved that henceforth all faculty liaisons to the Board of Trustees' workgroups will serve staggered three-year terms, with the possibility of one uninterrupted reappointment.

A motion was made and seconded to approve the resolution and the floor was opened for discussion. A friendly amendment was made that in order for the Faculty Senate to retain possession of the process, its Committee on Committees instead of the Faculty Senate President shall, following consultation with the chair of the BOT, nominate all faculty liaisons to the Board of Trustees' workgroups. This friendly amendment passed.

Discussion was held on how to present the resolution to the BOT. President Branch proposed to take it to Provost Wilcox and President Genshaft and ask that they function as an intermediary. If they will not, President Branch will come back to this group for consultation.

A second friendly amendment was made that due to the lack of mechanisms for appointments, how to go forward with it, and provide feedback to the Senate, this resolution be delayed pending further revisions to address these issues. It was pointed out that with the previously passed friendly amendment of having the COC nominate the faculty liaisons, there was a guarantee that a feedback loop would be in place. Due to the urgency to fill existing vacancies, President Branch deemed this an unfriendly amendment; therefore, no vote was taken on this second amendment.

The word "Senior" should be added before Vice-President for Health in the second paragraph.

The motion to approve the resolution with amendments was unanimously passed.

NEW BUSINESS

a. Information on Dr. Leroy Dubeck's Visit – Steve Permut

As Chair of the Faculty Senate Ad Hoc Finance Committee, Vice President Permut provided information on the up-coming visit by Dr. Leroy Dubeck on Thursday, January 22. The purpose of Dr. Dubeck's visit is to provide an analysis of the university's budget from the past five years and to provide a neutral, third-party perspective. The title of his presentation will be "An Analysis of the University of South Florida Audited Budget and Beyond: What WE need to know about USF's Budget." It will be sponsored by Student Government, the Faculty Senate, and the Faculty Union and will take place in the Marshall Center, Room 2001A. Vice President Permut added that Dr. Dubeck will also address the topic of economic stimulus and its direct impact on education. A panel discussion will follow the presentation.

Concern was expressed by some Senators that Faculty Senate funds were being used without the approval of the Senate. It was recommended that future expenditures such as those being used for Dr. Dubeck's visit be presented to the Faculty Senate for approval.

b. Report from Faculty Senate President Branch on January Meeting of the Advisory Council of Faculty Senates

President Branch reported that various universities are proposing the following for the next round of budget cuts: (1) structuring buyouts; and (2) intervals in which individuals might take leave without pay to conduct independent research 5 days a year; otherwise, known as a furlough.

REPORT FROM UNITED FACULTY OF FLORIDA PRESIDENT SHERMAN DORN

UFF President Dorn reported on the following items:

- A decision will be made by the end of the year whether or not the union will support the governor's proposal for a tuition increase.
- Two grievances have been amicably resolved between the BOT, the administration and UFF.
- The mandatory leave of absence over the holiday break by twelve-month employees who are in-unit has gone to arbitration.

REPORT FROM FACULTY SENATE PRESIDENT LAURENCE BRANCH

President Branch distributed information on the USF System Annual Strategic Budget Planning Process which is consistent with the essential concepts in the *USF Strategic Plan, 2007-2012*. This is the open, transparent process for which the Faculty Senate has been asking. All materials

will be available through a portal address which will be available to Senators in the near future. As a member of this planning process, President Branch will provide feedback to the Senate.

There being no further business, the meeting was adjourned at 5:03 p.m. The next Faculty Senate meeting will be Wednesday, February 18, 2009, in the Marshall Center Room 4200.

ADDENDUM
Follow-Up Items

1. Provost Wilcox asked to provide FTE for the 2001 and 2008 benchmarks, as well as dollar support for people listed on the Institutional Growth, AY 2000/01 through AY 2008/9-Selected Measures handout (FS Mtg. 10-15-08).

ADDENDUM
Completed Items

1. Provost Wilcox to convene a committee to draft a university policy in the spirit of the CEPI document (FS Mtg. 9-17-08; SEC Mtg. 02-04-09).
2. Details to be provided by Vice President Permuth on Dr. Larry Dubeck's visit (FS Mtg. 11-19-08; FS Mtg. 01-21-09).
3. Discussion and vote on Nomination and Appointment of Faculty Liaisons to the BOT Workgroups resolution (FS Mtg. 11-19-08; FS Mtg. 01-21-09).