

College Faculty Senate –Minutes for Feb. 11, 2009
College of Journalism and Communications

The meeting was called to order a 12:33 p.m. by Mary Ann Ferguson.

Members: Johanna Cleary, Julie Dodd, Mary Ann Ferguson, Robyn Goodman, Bridget Grogan, Mike Mitrook, Henri Pensis and Kim Walsh-Childers

Others in attendance: John Wright, Linda Hon, Cory Armstrong, Sandra Chance, Charles Harris

Minutes of Dec. 11, 2008 meeting – Motion by Goodman, seconded by Grogan. Approved.

Minutes of Jan. 28, 2009 meeting – Motion by Goodman, seconded by Walsh-Childers. Approved.

Approve agenda – Motion by Walsh-Childers, seconded by Grogan. Approved.

Budget Discussion – Mary Ann Ferguson and John Wright

John Wright – Discussed the budget situation and answered questions from the group.

He said he is interested in receiving input about budget decisions, such as guiding principles, to help as the college develops a proposal for budget cuts at the 2, 4, 6, 8 and 10 percent levels.

He explained the timeline: By the end of this weekend have list of budget cuts. That list will go to HR to make sure it follows the collective bargaining agreement. Will receive HR feedback on Monday and Tuesday (Feb. 16-17). After that, issues will become public record and can begin discussing. Wright said that our college is “about where other colleges are” in terms of laying out proposed budget cuts.

Potential layoffs – People will be told personally if they are on the potential layoff list before that information becomes public. Wright will meet with each individual, and then those people have the right to tell others. The list that will be posted on the President’s Web site will indicate the position number of lines that are in the layoff order but will not include the name of the person in each of those lines.

Wright said the legislature no longer thinks the university has “fat in budget” but is more concerned about K-12 education.

Impact layoffs will have on teaching – Can’t hire adjunct for two years to teach the class of a faculty member who is laid off. He said the layoff of faculty could have a negative impact on the college’s SCH (Student Credit Hour) production. Wright said, “I’m not talking out a department” in the proposed cuts, but he was concerned about future budget cuts. He did say the chances are good that additional cuts will be made the following year.

Will the faculty being hired now then be the target of layoffs the next year? – Wright said that question was brought up in a Deans meeting with Provost and HR, but they didn’t receive a good answer.

Difference in how layoffs would be handled depending on the job designation:

- Staff layoffs based on retention points. TEAMS can bump within a unit. USPS can bump, too.

- For non-tenured, tenure track and tenured faculty, each group is its own cohort and decisions are not based on hiring order.

Asked about e-mail from UFF regarding budget cuts and our college's hiring of new faculty members – Wright said our college isn't the only college hiring. He said he was misquoted in the e-mail in saying that he didn't know what a new faculty member would be teaching. He also said that there is some hiring of administrators.

Ferguson asked if Wright would create a FAQ relating to the budget situation. He said he is working on such and would like to post it on the Web as soon as possible. The Senate may propose some of the questions that he could answer.

Ferguson asked Wright what role he would like Senate to play in the budget proposal.

Wright said he has met with Budget and Long-Range Planning Committee. That group decided it was best to have communication about the budget happen in the Senate. Wright said he is open both to general (guiding principles) and to specific recommendations. He would prefer not to receive questions and suggestions as e-mail.

Ferguson said she met with Ted Spiker, chair of the Budget and Long-Range Planning Committee. The committee felt that best place for discussion about the budget is within the Senate.

Ferguson asked the senators if the Senate could develop guiding principles within the 7-10 days available in the budget timeline. Discussion included:

- Not enough time for that process. Proposal for cuts due March 4 with posting on the Web about March 19.
- Not possible to adopt guiding principles from other colleges, as their principles are tailored to their programs.
- Not possible to use the questionnaire on shared governance from the Academic Policy Council to help form the guiding principles, as those questions are more about the process of how decisions are made about the budget. Ferguson will report back to the Academic Policy Council that, if the goal is to determine faculty view of shared governance in the budget cut process, now is too soon to ask.

Ferguson again asked: What should Senate do?

The faculty needs a way to respond to the budget cuts.

Discussion of using an online forum but that would not allow for confidentiality.

Another option is for Wright to meet with individual units.

Could someone set up an online forum? But that would be creating a public record. Could it be done without having names connected with postings? If the discussion was online, then could generate responses beyond the college that might not be helpful in advancing the discussion. A low-tech approach would be a suggestion box. Sandi Chance said that comments submitted in a suggestion box would become public record but wouldn't need to be signed.

Wright said he would plan to meet with each unit between when he has talked with people individually and when proposals are sent forward to UF.

Ferguson announced that the Senate will meet Wednesday, Feb. 18, and Spiker will attend to be involved in discussion about budget cuts. She also announced that Wright will meet with the Senate on Feb. 25 to discuss cuts.

College Constitution Update – Robyn Goodman

Other members of the Constitution Committee in attendance were Cory Armstrong and Charles Harris.

Goodman asked Chance to discuss her view about the voting process for approving the college constitution.

Chance – She said she had a conversation with senior attorney general about the college voting. She distributed a section from the latest Government-in-the Sunshine Manual (2008 Edition):

6. May members of a public board vote by written or secret ballot?

Board members are not prohibited from using written ballots to cast a vote as long as the votes are made openly at a public meeting, the name of the person who voted and his or her selection are written on the ballot, and the ballots are maintained and made available for public inspection in accordance with the Public Records Act. See, AGO 73-344. Cf., AGO 78-117 (in the absence of statutory authority, proxy voting by board members is not allowed).

By contrast, a secret ballot violates the Sunshine Law. See, AGP 73-264 (members of a personnel board may not vote by secret ballot during a hearing concerning a public employee). Accord, AGOs 72-326 and 71-32 (board may not use secret ballots to elect the chairman and other officers of the board).

Chance said she wanted to help the college avoid violating the law. She said that there is not a clear ruling but that the faculty could be obligated to follow Sunshine standards of a governing body. She said that the college should want to have its decision-making to be transparent. The Sunshine Law has evolved from what was originally developed for city and county government to include college faculty. Chance said, “There’s enough debate out there” that the college should follow the Sunshine Law. “Don’t put yourself and your colleagues to be in violation of the Sunshine Law.”

Discussion:

Isn’t the faculty already in violation of the Sunshine Law with establishment of voting to establish a Senate? Chance said the Sunshine Law is in “continuing development” moving to application in academic institutions. Some aspects, like T&P meetings, do not fall under the Sunshine Law. “My recommendation is that you don’t force the faculty down that road (of not following the Sunshine Law in voting). “

Barbara Wingo, UF’s counsel, has said that it is not clear that university faculty must follow the Sunshine Law. The language for the Sunshine Law is directed to boards and other elected groups. The Senate is an elected body, but the faculty isn’t. If the faculty adopts the necessity of following the Sunshine Law because we view ourselves as an elected body, then we would have

to follow other guidelines of the Sunshine Law, including not being able to talk with other faculty members without noticing that meeting.

Chance said if the faculty adopts voting that doesn't follow the Sunshine Law then we are confusing our rights as public citizens when we are employees of the university and are setting up government for the college. The Sunshine Law requires a signed ballot, Chance said.

Goodman said that our college is the only one on campus that hasn't adopted a constitution that reflects shared governance. She stressed the importance of our college adopting a constitution. She said that in last fall's faculty meeting about the constitution (Nov. 20, 2008), strong opinions were heard on both sides of the voting issue – using the envelope within an envelope method (as established by the old/current constitution) or requiring signed ballots.

The Constitution Committee came forward with three proposals and asked the Senate to make the decision of which one should be included as the voting process included in the new constitution:

1. Follow old constitution to the letter meaning a written, mail ballot.
2. Follow old constitution with a written, mail ballot but include signatures on the ballots. Discussion but no definite answer as to whether unsigned ballots or ballots with illegible signatures would be counted or discarded as invalid ballots.
3. Follow Robert's Rules and do a voice vote (a hand vote or a roll call vote may be requested from the floor).

Motion to adopt Option 3 made by Walsh-Childers, seconded by Pensis. Motion approved.

Wright said that "We don't want to have a problem" related to the voting. Goodman said that "This is the time to think as a college."

The meeting was adjourned at 1:35 p.m.

Respectfully submitted,

Julie E. Dodd