

University Administrative Council Minutes

Tuesday, March 9, 2011 8:30 a.m.

Corbett Center, Colfax Room 210

Barbara Couture, Tilahun Adera, Mark Andersen, Fred Ayers, Tom Bagwell, Steve Loring, McKinley Boston, Garrey Carruthers, Felicia Casados, Lowell Catlett, Vimal Chaitanya, Shaun Cooper, Travis Dulany, Candice Guzie, Russell Hardy, Glen Haubold, Maureen Howard, Margie Huerta, Cheri Jimeno, Ricardo Jacquez, Jay Jordan, Bruce Kite, Linda Lacey, Delano Lewis, Bernadette Montoya, Mike Morehead, Thasha McVey, Mike Morehead, Dennis Prescott, Ricardo Rel, Christa Slaton, D'Anne Stuart, Angela Throneberry, Elizabeth Titus, Susan Waldo, Wendy Wilkins, Ben Woods, Ross Justus (ex-officio) (Substitutes are welcome when members cannot attend)

I. Call to Order

II. Minutes of February 8, 2011

A Motion to approve the February 8, 2011 minutes with a caveat for the provost to amend the names in Building the Vision was seconded. All in favor.

III. Old Business

A. Revisions to Policy 1.05.70 Shared Governance [Mark Andersen]

This item was removed by mutual consent from the Agenda to be presented at a later date.

B. Revisions to Policy 2.05 Art.

Revisions to Policy 2.03 and 2.04 Art and Archives - This was presented for a second reading with edits from the first read. Input from Art Gallery Director was added as well as from the Art Department Head. The current draft broadens the use of the permanent art fund to cover art preservation as well as acquisition. A Motion to Approve the new revision to 2.03 and 2.04 as presented was seconded. All in favor.

C. Revisions to Policy 2.05 Athletics [Lisa Warren]

Revisions to Policy 2.05 Athletics - This was presented for second read with minor edits from the first read. A Motion to Approve the revisions to 2.05 as presented was seconded. All in favor.

D. Revisions to Policy 2.69.1 International Travel [Delano Lewis]

Revisions to Policy 2.69.1 International Travel - This was presented for a second read with no major edits from prior versions. Student Travel to countries with Travel Warnings may be granted through an exception process that will be presented before the dean or before a Risk Security Committee. The committee will make recommendations to the provost and then the ultimate decision is up to the president. Faculty can travel to these countries if they sign a waiver. A Motion to Approve the revisions to Policy 2.69 as presented was seconded. All in favor.

E. Revisions to Policy 3.99 Student Hazing [Lisa Warren]

Revisions to 3.99 Student Hazing - Two changes were made since the first reading of the proposed revisions. A clause was added to clarify that retaliation is prohibited to protect those who report bullying or hostile environment under this policy. Secondly, the facts that determine whether or not there has been a violation will be based on the totality of the circumstances and how a reasonable person in a similar situation would react to this. This is very fact based and will be determined on a case-by-case basis. A Motion to Approve the revisions to Policy 3.99 as presented was seconded. All in favor.

F. Revisions to Policy 5.94 Research [Vimal Chaitanya/Bill Harty]

*Revisions to 5.94 Research - This has had extensive review since the first presentation. The changes include updating the Intellectual Property section to reflect current practice, University Research Council and business practices. Discussed were a check and balance from the Vice President for Research to conclude if an infraction has occurred; therefore, there is no obligation to report an infraction to the president. Per Provost - If someone is found not guilty then records should be expunged. If dismissed, another office will review to make sure the dismissal is then reported to the vice president of administration and finance. The policy will be **amended** to add language that if a dismissal takes place that another office reviews the decision to make sure that an infraction has not taken place. A Motion to Approve the revisions to Policy*

5.94 with additional language for another appropriate office to review was seconded. All in favor. Further work is needed on the intellectual property section.

G. Revisions to Policy 8.60 Resignations [Angela Throneberry]

Revisions to Policy 8.60 - A requirement was added to require a notice of resignation for transfers within the University and also to allow rescission of a resignation as long, as the employee is in good standing and has supervisor approval, as well the reinstatement of benefits. Language was added, since the first reading, to clarify that there are no appeal rights to a decision made by the HR director or supervisor to not allow the requested rescission and that there is no right to continuation of benefits after 5 days. A Motion to Approve the revisions to Policy 8.60 as presented was seconded. All in favor.

IV. New Business

A. Revisions to Policy 5.47 Faculty Appeals [Mark Andersen]

Revisions to Policy 5.47(5.04 and 5.98) - Process to work with the faculty grievance passed last year and lays out new board for reviewing faculty discipline matters, includes a detailed flow chart for the rights and steps to appeal disciplinary actions as well as steps for revoking faculty tenure and termination for cause. The evidentiary standard was moved from preponderance of evidence to clear and convincing. Policy is for misconduct not poor performance. It was suggest that a statement regarding a mutual conversation between all parties before the process begin. Also would like to address the issue of innocent parties being put through the process in the manner of nuisance request. It calls for the possibility of binding arbitration in the dispute resolution and the state will not accept agreements providing arbitration. We can do it internally but may need to address the costs associated with arbitration and mediation. Focus some attention to the confidential investigation stage to deter nuisance allegations. Asking for a check and balance at the beginning of the process, so the process is not entered into in vain.

B. Heritage Preservation Plan [Greg Walke]

Greg gave some background on the Heritage Preservation Plan. Plan is on OFS webpage in two volumes. This is to be adopted by the Board of Regents as an extension of the NMSU Master Plan.

V. University-wide Information/Announcements

A. Inventory Status Update [Mike Abernethy]

Mike distributed an inventory report for each department. The intent is to finish with inventory recording by March 1. For items that are missing, there must be documentation as to why the item is missing. He asked for assistance from departments to complete the inventory process more thoroughly. Please contact his office if you need an updated detailed inventory report. The list of the missing items will be reported to the Board of Regents.

B. Fall 2010 Efficiency and Effectiveness [Barbara Couture]

President Couture thanked Dr. Carruthers and the Efficiency and Effectiveness Committee for an outstanding job of getting the E&E report out in December. The E&E suggested five areas where there might be some additional efficiencies. President Couture has decided to look into the two areas that involve the students directly: book costs and academic organization. She has asked the provost to start working on these areas. She would like to invite you to take a look at the report and discuss at the next UAC.

C. Sustainability Memorandum [Glen Haubold]

Glen would like to get formal guidance from UAC as to whether the Sustainability Council is headed in the right direction. He also introduced joni newcomer, chair of the Sustainability Council. Joni explained they have developed a business plan and presented it in November. The Council's activity are reported through the STARS report. Please view this report and other information at <http://sustainability.nmsu.edu>.

[President Couture received notice that Mike Cheney and Christopher Dulany have been confirmed as NMSU regents.]

- D. Conflict of Interest Reminders [Dorothy Anderson]
There are still COIs that have not been completed for last year. The process for this year will begin soon; therefore, it is important that the previous years' COIs be completed. There are 152 supervisors that have not approved their pending COIs.
- E. Proposition 12/10-11 Revisions to the Grading System [Mark Andersen]
Proposition 12/10-11 updates computation of student's gpas, plus or minus will be incorporated. This will more accurately assess student's standing. This will allow help cut back on grade inflation. This grading proposal will be effective July 2012. There will be no grandfathering. This will go to the Board of Regents if it's not pulled. A study of impact on scholarship was done.

VI. Updates

- A. Executive Vice President/Provost Update [Wendy Wilkins]
We are moving forward on the Building the Vision Committee. Some of you may need to recommend individuals to serve on the committee. Deans Slaton and Morehead will serve on the committee. Two members from CORC-Council on Research Centers are needed. Groups that need representation are Cooperative Extension, International, ASNMSU, and the community colleges. Please submit your recommendations to Provost Wilkins.
- B. Faculty Senate Update [Mark Andersen]
No new legislation.
- C. NMSU Employee Council Update [Steve Loring]
Members serve on more than 15 committees universitywide. Steve will make an announcement on the Above and Beyond Award at the next meeting.
- D. ASNMSU Update [Travis Dulany]
The grading proposition is the hot topic. Dr. Amato worked with an undergrad and a graduate student on the changes; all emphasized the need to get the students' input and educate students on the proposal. It doesn't appear that they had accomplished this. The student senate will vote on a resolution regarding the grading proposition. Many students feel they need more time to review this proposal
- E. Graduate Student Council Update [Thasha McVey]
Thasha was not present. Travis said the Graduate Art symposium was very successful.

Next Meeting: Tuesday, April 12, 2011, 8:30 a.m., Corbett Center, Colfax Room #210