

May XX, 2019

TO: Faculty Senate Executive Committee

FROM: Provost's Council

RE: Senate Motion 18-57 Faculty Code Section 1.B College Budget Committees

Members of Provost Council oppose the addition of new language regarding college budget committees to the Faculty Code.

Concerns were articulated to Faculty Senate Chairperson, Amy Claridge, and Budget and Planning Committee Co-Chairperson, Kathy Temple, on April 16, 2019. Subsequently, members of Provost Council were disappointed when neither the meeting nor concerns were mentioned during the Faculty Senate meeting and second reading of proposed code changes on May 1, 2019. Since then, and following Provost's Council's expression of concern regarding this lack of transparency during our meeting on May 7, Amy Claridge asked us to put these concerns in writing, which is the impetus for this memo.

We begin by stating that our position is aligned with that of the Academic Department Chairperson Group (ADCO) expressed in Jim Johnson's email to Amy Claridge and Kathy Temple on April 18, 2019 (see attachment). Again, we were disappointed there was no mention of this memo during the May 1 Faculty Senate meeting and second reading of the proposed code changes, and remain concerned about the lack of transparency in the review process.

We concur with ADCO that the Faculty Code is not the appropriate "place for this proposed language." We agree with ADCO that "the Faculty Code covers faculty rights, responsibilities, and constitution of Faculty Senate Committees" and that "in no other case does the faculty code define the structure or responsibilities of a college committee." Regarding the latter, we believe it is important to express our disappointment with the response given by the Budget and Planning Committee Co-Chair and the Bylaws and Code Committee Chair to the only question raised during the second reading. Senator Todd Weber asked if this would be an "unusual" committee to include in Faculty Code, to which both senators replied "no." Unfortunately, this response is a misrepresentation of what exists in the Faculty Code. The only committees listed in Faculty Code are Faculty Senate reporting committees. The Provost Council views the lack of transparency and accuracy during the second reading of the proposed changes as a mismanagement of process.

In principle, we do not disagree with what Faculty Senate is requesting with respect to the composition and responsibilities of the college budget committees and their members. We also agree there should be as much consistency as possible across the colleges and library with respect to budget committees. However, deans in their management roles, are responsible for the oversight of committees in colleges and the library that report to them. We believe inclusion of this language in Faculty Code is a potential violation of the CBA, Article 3—Management Rights, and specifically 3.2.5 "Determination of the means, methods, budgetary and financial procedures and personnel by which the University's operations are to be conducted." We are

open to working with Faculty Senate on 5-0, Academic Life, policy language regarding college budget committees, and to work immediately to create more consistency across college and library budget committees.

As you know, following the October 21-22, 2018 Board of Trustees meeting and discussion of the proposed changes to Faculty Code and Process Section 1, C&D: Faculty Rights and Responsibilities, the trustees emphasized we should work together to achieve consensus on Faculty Code changes before they are brought forward for action by the Board of Trustees. Consensus certainly does not mean we agree, but it does mean we have reached a common understanding and have accepted the next steps forward. With one reading and vote remaining, we know we have not reached consensus on this issue. Therefore, we request that, as a show of good-faith commitment to the collaborative process, the third reading be postponed until further discussion can occur.

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