

Minutes of University Administrative Council
Tuesday, May 10, 2016
8:30 a.m. – 10:00 a.m.
Corbett Center Student Union Senate Chambers Room #302

I. Call to Order – Garrey Carruthers, Chancellor

- A. Meeting called to order at 8:30 a.m.
- B. Introduction of Matt Crouse, Director of Housing and Residential Life

II. Approval of Minutes

- A. April 12, 2016

Move to approve minutes made and seconded. Minutes approved as submitted.

III. Old Business

- A. New Regents Policy 2.90 – Information Data and Security – 2nd Read (Liz Ellis)
 - 1. Policy now contains general information about data security; will replace detailed rules
 - 2. Major comprehensive re-write of rules will be coming in the near future

Move to approve made and seconded. Committee votes unanimously in favor. Motion carries.

- B. New Regents Policy 9.80 – Art, Archives and Other Collections – 2nd Read (Liz Ellis & Lisa Warren)
 - 1. Changes to policy emphasize NMSU will work with State and Federal laws that govern art and archeology archives
 - 2. Rewording reservation of authority
 - 3. Discussion: Does new NSF requirement on data retention fall under this provision? If so, how will we handle it going forward?
 - a. All research is under IRB purview. All research involving human subjects must be maintained for 3 years
 - b. Information and Data Security addresses the same issue

Move to approve made and seconded. Committee votes unanimously in favor. Motion carries.

- C. ~~Revision to Regents Policy 1.05.96 Community College Faculty Council (Liz Ellis)~~ **Approved April 12, 2016**
- D. Proposition: 21-15/16 – Modify Rule 4.05.50 Faculty Grievance Review and Resolution – 2nd Read (Stu Munson-McGee)
 - 1. Proposition is the culmination of 2-3 years of examination, clarification and re-writes.

Move to approve made and seconded. Committee votes unanimously in favor. Motion carries.

IV. New Business

- A. Addition of bike lanes to Espina Street (Glen Haubold/Heather Watenpaugh, David Shearer & Dale Harrell)
 - 1. Will involve changing lane of integration; lanes will connect to city's already established bike path; takes advantage of bus lane formerly used by ECHS
 - 2. New lane will start at Wells and continue to connect with Espina and University Ave.
- B. New Regents Policy 18.00 – Advancement – 1st Read (Liz Ellis)
 - 1. Better defines the role of Advancement
 - 2. Reserves certain authorities
 - 3. Discussion: Item B. 5; what constitutes “substantial”?
 - a. Gifts that come with monetary obligation for maintenance, display, etc. and would require Regents approval
 - b. Comments regarding policy should be sent to GC before the June 14th UAC meeting

- C. Revised Rule 2.50 – Namings – 1st Read (Andrea Tawney & Dean Titus)
1. Intended to define a broad range of namings. (Buildings, collections, endowments, etc.)
 2. Definitions added to assist
 3. Processes and procedures put into place
 4. Clearer, broader, policy on endowments
- D. Revised Regents Policy 3.25 – Equal Opportunity and Prohibition of Unlawful Discrimination – 1st Read (Liz Ellis & Gerard Nevarez)
1. Revision is intended to consolidate several policy chapters and provide basic compliance requirements for NMSU
 2. This is an expedited request for placement on the June Regents agenda; review period will be shortened
 3. Provide feedback to GC no later than June 10th

Motion to move forward to second reading made and seconded. Majority of committee votes in favor; two opposing votes. Motion passes.

Discussion: We should take the time to review; this was rushed previously and now facing edits. It was clarified that this is just a separation of policy and rule; not a change in policy.

- E. Revised Rule 4.30 – Hiring – 1st Read (Liz Ellis & Andrew Pena)
1. Rule specifically for athletic coaches and directors; varying degrees of need for this
 2. Does not require memo from Chancellor to use alternative process
 3. Alternative process works with contract hires
 4. Forward comments to HR or GC
- F. Revised Rule 4.30.10 – Hiring Definitions – 1st Read (Andrew Pena)
1. Changes to term appointment hires were made in November 2015
 2. Seasonal employees were mistakenly omitted from the definition; revised rule will reinsert
 3. Requesting approval to add definition of seasonal employees

Motion moved and seconded to move forward to first and second read. Committee votes unanimously in favor. Motion carries.

Discussion: Why is the maximum employment period 3 months? This is the government definition of seasonal employment. Must be abided by otherwise a violation of health care laws; category is not health care eligible.

- G. Revised Regents Policy/also Replicated Rule 5.86 – Performance Evaluations [for faculty] – 1st Read (Stu Munson-McGee)
1. Revision came about from review of P&T policy
 2. Post tenure review moved after the section on promotion and tenure
 3. Revised policy involves extensive changes and requires input
 4. Request extension of 6-week review period in order for Faculty Senate to review policy when committee reassembles in fall 2016; extend to August 1, 2016
 5. Send comments to smunsonm@nmsu.edu
 6. Policy will be brought back for approval
- H. Revised Regents Policy/also Replicated Rule 5.90 – Promotion and Tenure – 1st Read (Stu Munson McGee)
1. Revision came about from review of P&T policy
 2. Send comments to smunsonm@nmsu.edu
- I. New Regents Policy 6.00 – Academic Matters – 1st Read (Liz Ellis)
1. Chapter 6 will need work prior to HLC visit
 2. Attempt to provide a broad policy statement on academic matters

3. Assigned to Academic Track; Faculty Senate will review in the fall
4. Send comments to Liz at lellis@nmsu.edu

J. Revised Rule 7.45 – Workers’ Compensation Benefits and other Assistance – 1st Read (Lori McKee)

1. Adds language from the code to address an audit finding
2. Send comments regarding to revisions to Lori at lomckee@nmsu.edu

K. Revised Rule 8.50 – Staff Performance Evaluation/Probation Period – 1st Read (Andrew Pena & Liz Ellis)

1. Modifications to provisional policy made last summer
2. Changes made were primarily towards contradictions in the policy which made it difficult to interpret
3. Addresses initial and subsequent probationary periods an employee may go through
4. Provide comments to HR or General Council prior to next month’s UAC meeting

L. Revised Regents Policy/also Replicated Rule 5.87 – Post Tenure Review – 1st Read (Stu Munson-McGee)

1. Revision came about from review of P&T policy
2. Send comments to smunsonm@nmsu.edu

V. University-wide Information/Announcements

A. Proposed changes to Fair Labor Standards Act (Peña)

1. Government proposed to raise threshold amount; could be from 23k to 50k
2. Don’t yet know what the threshold will be or the effective date
3. All employees below level 8 will be non-exempt and require time sheets; department heads will need to monitor employee’s time
4. Change will involve a one month pay lag
5. We should notify employees of this as possibly impending and a Federal Government initiative

B. Guidance relating to potential layoffs (Peña)

1. Guidelines have been developed to address elimination of filled positions
2. Ask to meet with Employee and Labor Relations to go over a plan for elimination of filled positions; ELR can provide guidance
3. Our job is to make a good faith effort to move employees into positions that are occupied by temporary, probationary, or less senior employees
4. Not a performance issue; we are looking at seniority and position within the unit
5. Timing and terms (minimum thresholds)
 - a. Nonexempt 60 days
 - b. Exempt 30 days
6. Submit requests to HR if employee is on probationary period, especially due to moving into a new position
7. Will work with individual colleges and divisions for one-time savings
8. We need to work to be sure we don’t disproportionately hurt protected classes

VI. Updates

A. Chancellor

1. Survey sent out to gauge faculty and staff attitudes regarding athletics
2. 1,226 responses received thus far; 463 from faculty, 763 from staff

B. Executive Vice President and Provost

1. First week of May over 75 faculty received promotions and/or tenure. Many thanks to the Deans and Community College Presidents for their efforts

C. General Counsel – General Advice from GC - No additional comments

D. Faculty Senate

1. Faculty Senate Chair -elect, Chris Brown was in attendance
2. Submitted 35 new propositions during the academic year
3. Newly elected Vice-chair is Rolfe Sassenfeld

E. Institutional Analysis-Data Snippets

1. Number of 1st time freshmen coming in as unclassified has been decreasing
2. Data provided regarding who is teaching Gen Ed courses (Staff v. grad assistants)
3. Information can be found at: <https://oia.nmsu.edu/data-snippets/>

F. Employee Council

1. Next meeting will be Thursday, May 12, 2016
2. Provost Howard and Angela Throneberry will attend next meeting to discuss budget
3. Employee Picnic: October 14, 2016

G. University Advancement

1. A production of videos for social media to appeal to younger generation is underway
2. Asking for volunteers to make fundraising calls to alum
3. Student Philanthropy Program will launch in the fall

H. ASNMSU - No comments

I. Graduate Student Council - No comments

I. Other Comments and Information

Next Meeting: Tuesday, June 14, 2016, 8:30 a.m., Corbett Center Senate Chamber Gallery room 302.

Attendees

G. Carruthers	R. Scott	K. Agnew
M. Munson-McGee	D. Wagner	M. Jasek
S. Jones	E. Titus	R. Justus
G. Haubold	J. Bosland	T. Leyba
A. Throneberry	J. Gratton	R. Lucero
S. Stochaj	L. McKee	T. Leyba
H. Watenpaugh	A. Tawney	R. Lucero
D. Harmon Harrell	M. Moccia	H. Sheski
J. Witte	J. Green	M. Chaiken
R. Rel	S. Stovall	M. Howard
B. Montoya	C. Menking	E. Pontelli
G. Fant	K. Van Winkle	G. Nevarez
D. Thompson	D. Pope-Davis	N. Grijalva
D. Stuart	K. Boberg,	J. Roberts
L. Warren	J. Hoffman	B. Stout
L. Ellis	D. Howard	S. Munson-McGee
A. Cavotta	A. Peña	