

JOINT RETRENCHMENT COMMITTEE

**Minutes**

Friday, June 20, 2003

McKee 423 1:00 p.m.

Members present: Clough, Gustafson, Huang, Jenkins, Lennon, McConnellogue, and Temkin  
Members present by proxy: Gregg (Jenkins), and Schoneck (McConnellogue)  
Members absent: Reed  
Special assistance: Dinges, Garcia, Gavin  
Guest: President Norton

Allen Huang, the Interim Provost effective July 1, was welcomed. The minutes from the June 11 and June 20 meetings will be available for approval at the next meeting.

President Norton was invited to respond to certain questions which Chair Temkin had drawn up from Committee discussions. Three questions were given to the President for her review prior to the meeting.

- Question 1 Whether in your view of the preliminary report that you submitted to the Senate itself advocates a reduction in force?
- Response It does not. If you refer to the report itself, I rely heavily upon the language of the Policy which says that if the finances of the University change so that a reduction in force may be necessary, then it's my obligation to initiate this process. So I absolutely am not advocating that a reduction in force is necessary or must occur or should occur but, I do believe that we need to look at the situation and then determine whether it may be the result of other things we need to do.
- Question 2 As you know the Committee is charged with responding to your preliminary report in 60 days, and we have talked at our last meeting about the possibility of, in effect, deciding not to decide whether a reduction in force is necessary. In effect, we might also say that it may or may not be, we need to look at it in a larger context. We had some concerns about a consequence of such a decision. In particular, would it be possible to represent such a decision as a shirking of our responsibility?
- Response Absolutely not. As a matter of fact, I think that such a decision would be the fulfillment of your responsibilities. Again, if you go back and read the terms of the Policy it requires the Joint Retrenchment Committee to consider all of the alternatives to a RIF that have been considered by the administration, by the University, and since the University hasn't completed a full analysis of all of those alternatives you don't have that information to review.
- Temkin Would I be correct then in inferring that neither could our deciding not to decide be construed as our having no objection to a RIF.
- President Absolutely not. I think your response has to be explicit. Either decide to say we need more information, which I think is almost an inevitable conclusion based upon what I have to give you, versus what I recommend that we as a University look at, which is everything.
- Question 3 What process do you envision going forward to consider all of those possibilities and to look at the shape of the University under new circumstances?
- Response I don't have a final plan but I did go back and re-read the Policy. I think the Joint Retrenchment Committee has a role in what really amounts to the University's comprehensive plan. We have a number of plans on campus for various things but we really do not have a comprehensive plan. We have something called the University plan, for example, that's just an academic plan but it is not integrated at this time with the Advancement Plan, with the Facilities Master Plan that was just

approved by the Trustees. Although they can be integrated but they are not currently integrated as one document. We are developing a plan for the move to Division IAA as another example but that is integrated with the marketing and advancement and development plans, some which exist, some of which don't. We need what you would call an enrollment management plan that is another example. The CCHE is going to be changing admission standards for us. They are pushing us in a direction in terms of what type of students we can enroll. We need a forward-looking plan about who are those students, how are we going to get them here, what programs are we going to offer them, what's our role, etc. The picture that I have in my mind is that the Joint Retrenchment Committee needs this information, you know, what do we want to be when we grow up, what are we going to look like in five years as our Board chair said to me today. Therefore, you would participate as a committee in that process which will be a University-wide process of answering that question 'what do we want to look like in five years.'

- Temkin Let me ask about the Committee's role in particular. If we were to respond to your charge to the Committee we are now in effect outside the RIF Policy. In the event that there is a RIF recommended there is a specific time line dictated by the Policy.
- President That's right.
- Temkin If we're doing this before a RIF is ordered . . .
- President Correct.
- Temkin . . . then there is no time line dictated by Policy.
- President That's exactly right. So you're not violating the Policy . . .
- Temkin That's right.
- President It's really . . .
- Temkin I'm sure there would be some time line that you would like to hear from us.
- President Yes.
- Temkin What would that be?
- President If your recommendation is we need to do a plan on it here's what we'd like to be a part of it then within the 60 days would be appropriate. Now you could alter it, supplementary clause.
- Temkin . . . \_\_\_\_\_ we only have about 30 days left.
- President That's right.
- Temkin But after we do that, if we do say what we do have to come up with a plan, how much time do you think we should have for that?
- President I don't think that the Joint Retrenchment Committee has to take the lead or do that all by themselves. What I would like is your thoughts on what is the process the University should use and what should your role be in it. We're going to have a President's staff retreat probably in July when we're going to talk about that, how do we get our arms around all of these pieces. We have Tom Gavin who will have a fundamental role in just fact gathering. What's our position now, what's our market position in terms of students, what are our costs. There's a lot of preliminary information that will then need to be reviewed in some fashion using some set of criteria. The choice of criteria is something that I would like this Committee involved in. There are a number of others who have ideas about what a list of criteria might be. Ultimately, I think the administration makes the final decision. We very much want to have, if we're going to be reviewing academic programs, we want to have the advice of this Committee on how do we select criteria.

With regards to the time frame in 2-3-1301(5)(c)(V)(B) Development of a Plan (for a RIF), the President stated that during this next academic year a comprehensive plan would be developed that will tell whether a RIF plan needs to be developed. If the comprehensive plan recommends a restructuring in such a way that the employment of tenured faculty is affected as defined in the section, then a RIF plan would be developed. She noted that this is a two-year process. She went on to say:

"If you read it (the Policy) over again you will see that it allows us to think about what's right in terms of educational policy. This has been triggered by the financial change. What I have come to realize is we

need to look at what is the right thing to do in terms of educational policy and not just react to numbers. We have made decisions to get through this next budget year that perhaps are not the right decisions to make permanently, things like work load, class size. That's what we need to do. Our financial situation makes that really clear. This next year we're going to take a good long, hard look at ourselves. If the result of a restructure, a reorganization that's developed as a result of that planning process affects the employment of tenured faculty, then we do a RIF plan. Then the Committee will have all the information of what were all the alternatives that were considered to minimize the affect on tenured faculty. We will have done that for you.

It was noted that the Metro Board has adopted a policy manual that lays off tenured faculty before term faculty and that the State Attorney General's Office has developed a model RIF policy that has shorter time frames than UNC. All Committee members were encouraged to take note of things in the Policy that need to be changed. As the Policy was written with the goal to reduce tenured faculty, the process is distorted for the present process.

The Committee voted at the last meeting to ask for Lambden's opinion regarding the legality of the confidentiality clause in the Policy. Lambden felt that the clause would not stand legal challenge, and that the Committee should discuss policy issues publicly and go into executive session when discussing personnel.

MOTION: Lennon/McConnellogue moved that the Committee should have something in writing from Ron Lambden regarding confidentiality.

VOTE: The motion passed unanimously by a voice vote.

Discussion was held on what the general guidelines should be for writing the report. Recommendations were:

- to state that the list of alternatives presented is incomplete and why, e.g., a retirement incentive program needs to be explored.
- to make it clear that firing tenured faculty is not a painless solution, that it has bad consequences just as some of the alternatives do, then say what they are.
- to look into gathering lists of alternative savings strategies and revenue enhancement strategies, things that should be investigated.

MOTION: Lennon/Jenkins moved to include those items in general form in the report.

VOTE: The motion passed 8-0.

The Committee needs to address in 2-3-1301(5)(b)(I) items (A), (C), and (E). With regards to item (E), it can be stated that the Committee has not made that determination yet.

A suggestion was made to divide the Committee up and assign portions of the report to write a first draft. It was then suggested that we could do it altogether. It was agreed that we would begin working on the draft as a committee and see how it goes. The Committee should go through the President's report section by section to make sure all the points have been covered. It was suggested that the Committee's report follow the format in the President's report.

MOTION: Clough/Gustafson moved that Gavin be requested to locate and enumerate information that might be relevant to retirement incentives and eligibility.

VOTE: The motion passed unanimously by a voice vote.

Gavin will also provide an estimate of the usual attrition and the State policy for classified staff. He noted that a retirement incentive plan can be developed only for tenured faculty.

Dinges will work on a meeting time for next week.

The meeting adjourned at 1:55 p.m.

Jack Temkin  
Chair

Vicki Garcia  
Recording Secretary