Horticultural Sciences
Faculty Meeting Minutes
Monday, December 12, 2011 – 2:00pm
Room 1304, Fifield Hall

Present: Brecht, Jeff; Brown, Dennis; Chaparro, Jose; Chase, Carlene; Chase, Christine; Darnell, Rebecca; Dittmar, Peter; Ferl, Rob; Fields, Debbie; Folta, Kevin; Gallo, Maria; Hannah, Curt; Hanson, Harmon, Carrie; Andrew; Henderson, Wes; Huber, Don; Klee, Harry; Koch, Karen; Liu, David; Moore, Gloria; Olmstead, Jim; Paul, Anna-Lisa; Rathinasabapathi, Saba; Sargent, Steve; Settles, Mark; Tomlinson, Lisa (recording); Vallejos, Eduardo; Zhao, Xin; Zotarelli, Lincoln

The meeting began at 2:03pm.

1. New Plant Diagnostic Lab Construction - Carrie Harmon, Plant Pathology:

“Coming in 2012: New building to house the Extension Plant Disease Clinic and Doctor of Plant Medicine programs!

We are so excited to announce that UF-IFAS will be building a state-of-the-art diagnostic laboratory, classroom, and study-meeting space for the DPM students. This building is slated to be built in the space between Fifield and the Envirotron compound, with ground-breaking to occur the end of March 2012. We look forward to expanding the services we offer, as well as sharing the classroom with our colleagues in the plant sciences for extension and education activities. Please feel free to drop by to discuss the opportunities this new space may provide for our programs.

Additionally, we have an internship program that is focused on hands-on lab techniques from plant care and microbial culturing to making solutions and running PCR. Lastly, the clinic can serve as an outreach mechanism for research projects that need an extension project. We have direct contact with growers and other extension clientele, can hold classes, and are involved in extension programming across the southeast through the Southern Plant Diagnostic Network. Please let us know how we can work with you to serve your clientele and ours.
2. Update on Chairman’s Position Search - Dr. Maria Gallo updated the faculty on the Chairman’s Position search. The Job Description has been finished and the date in which the committee will start looking at candidates is February 15, 2012. The posting, however, will stay up for more applicants until the position is filled. Dr. Hanson suggested to the committee that the February 15th date is too soon and to change it to March 1, 2012.

3. Outside Employment Regulations - Debbie Fields distributed information on the Outside Employment Regulations and instructed the faculty that it is very important that anyone, any type of employee, including OPS, must fill out the necessary forms if they are performing any work outside of their HOS position. There is an official UF Form and an IFAS form that are necessary. Samples of the forms and some examples were provided.

From UF Regulation 6C1-1.011

(a) A USPS, OPS, or non-exempt TEAMS employee who proposes to engage in any outside activity must report to the employee’s immediate supervisor as soon as practical the particulars of such employment.

(b) USPS, OPS, and non-exempt TEAMS employees are required to disclose in writing outside activities with, or financial interests in, a business entity or a state agency which does business with the University, candidacy for or holding a public office, and activities and financial interests required to be reported under paragraph (3)(b) of this rule. The Disclosure of Outside Activities and Financial Interests form is to be used for these purposes.

IFAS strongly recommends that (a) be in writing on the form. That way the decision to allow or not allow will rest with the deans and be consistent across IFAS.

Various Case Studies that IFAS covers in new faculty orientation as examples of when to report, are attached to the back of these minutes.

4. Faculty Assignment Reports and Effort Certification - Wes Henderson:

Faculty Assignment Reports:
• The FAR is due prior to each semester.
• This is now an electronic approval process.
• The FAR is a projection of what the faculty member will be doing for that semester.
• There should not be more than a 5% variance between the FAR and Effort Certification.

Effort Certification
• Due after every semester. This is the actual distribution of effort.
• The big change is electronic Certification
• The PI will be responsible for certifying all effort associated with a research project. Key personnel are loaded by Contracts & Grants based on commitments at the proposal stage, and will populate as either Direct Charge or Committed Cost Share. If effort is reported on a project which was not committed, we will report it as uncommitted effort. If the PI commits 5% to the project each year, but only reports 2% for a given year, the PI will still owe 3% for that year. The 3% will need to be picked up at some point before the project ends.
• PeopleSoft will pull all courses assigned via the Instructor Workload.

5. Fifield Hall Business Hub Update - Steve Sargent gave the group an update of what meetings have occurred, the current space proposal being looked at, and different scenarios that are currently in discussion with regard to the Hub. The areas that will start the hub are HR and Fiscal, probably followed by Student Services and eventually IT. The individual employees involved and how their salaries are funded were discussed. The fact that the future funding of these positions will have to come from HS, PP, and EH even after the lines are reassigned to the VP’s office was discussed and it was mentioned that this was not how the plan was presented in the beginning of hub discussions.

Maria Gallo stayed to participate in this discussion due to the fact that her own department will be experiencing a Hub merge with three other departments in the coming months. She shared with the faculty that their departments have developed a plan that they want to present to the VP’s office on how they feel the hub should be staffed and run with visual charts included. Some faculty members felt that the Fifield hub should go in with the same plan demands to the VP’s office, for a “strength in numbers” approach. Steve Sargent mentioned that the
three chairs involved in the Fifield hub would be meeting the next morning to discuss space, funding, and their own vision of how the hub should be run.

There were two motions made and voted on with unanimous approval:

Motion 1:

While fully supporting the hub concept, the HS faculty asserts, under the approved shared governance procedures, the supervision of the hub employees will reside with the Fifield Chairs on a rotating basis. This motion was made by Dr. Klee and seconded by Dr. Saba – all in favor.

Motion 2:

The control of departmental soft money is retained by the unit that accrues the funds. This motion was made by Dr. Klee and seconded by Dr. Darnell – all in favor.

Meeting was adjourned at 3:52pm.
Case Studies
Policy on Conflict of Interest and Outside Activity

1. Joan Green is a Family and Consumer Science faculty member. Her subject matter is Food and Nutrition. She gets a call from Loophole and Associates. She learns that a local food catering service, “Good Food”, has had the contract to provide school lunches for the last year, this is part of the privatization effort in Adams County. Recently, the county government has brought a legal complaint against Good Food. In the complaint, Adams County argues that the meals are not as nutritious as they should be. Mr. Loophole wants to hire Joan to testify in a hearing on behalf of Good Foods.

Is there any concern here? Are both Adams County and Good Food clients of the University? What would you advise Joan to do?

There are concerns. Our information is open to the public. When faculty are asked “for their input,” this means Expert Witness whether these terms are used or not. If a law firm is involved, ask to be subpoenaed as a “friend of the court” and the information will be equally available to both parties. Again, this info must be available to BOTH.

Sometimes a law firm will ask to “retain” a faculty member just for information. Again, the answer is still no. Put simply, you can’t “buy” our faculty.

Even if Joan does not know all the answers, she should fill out the disclosure form. The Deans’ offices will be able to advise regarding whether an activity would be allowed or not.

2. Cornell University contacts Jeremy Springfield. Jeremy is a leading authority on a certain fungus that affects grape vineyards. Cornell invites Jeremy to come to Ithaca and speak at a state-wide meeting sponsored by the University. They will cover travel expenses and pay him a $300 honorarium.

Should Jeremy fill out an outside activity request form? Is this work time?

How does the situation change, if any, if the call had come from a commercial chemical company in San Francisco?

This type of activity is certainly encouraged among our Faculty. He should still fill out the disclosure form. We don’t care about the $300; however, disclosing it would protect Jeremy in the event there would be a complaint made. He is actually getting additional income for the job he is already paid to do.

This trip would be work time. This is another reason to disclose the activity. However, if Jeremy decides to spend an extra few days in the Catskill Mts, annual leave must be taken.

How does the situation change, if any, if the call had come from a commercial chemical company in San Francisco? This changes the situation significantly. What was a collegial exchange has now shifted to a business deal. The sharing of information would not be open to the public. This would be more appropriately called a consulting request. As a result, it should definitely be disclosed. The approval will protect the interests of both the University and the faculty member.
3. Mark Smith is a faculty member in Environmental Horticulture who specializes in landscape issues. A friend of his owns a landscaping business named “Greenway”. The town of Orange Springs has a maintenance contract with Greenway and has filed a complaint. In particular, the town has concerns that Greenway is using chemical pesticides and believes that they should only use organic means to fight pests. An amicable resolution could not be reached and Orange Springs has filed a complaint against Greenway. Mark’s friend wants him to testify on the behalf of Greenway.

What would you advise Mark to do? Should he complete the request from? What do you think the Dean of Extension will ask?

Mark should not testify unless subpoenaed as the friend of the court. He should fill out the disclosure form and get approval before proceeding with anything.

The Dean of Extension will point out that both parties are entitled to the University’s services. As a result, there is a clear conflict of interest. Regardless of what Mike may think, he would be “wearing the University cap.” As a result, his testimony should be based on data only and provided for both sides.

4. Mary Lamb is a faculty member in Entomology. She and her family have five sheep in the meadow behind their home. Based on her love of animals, she decides to increase the number to 300. She plans to work with the sheep during late afternoons and weekends.

Should she fill out an outside activities request? What if she increases the number to 600 and hires a part-time manager?

The general answer to whether one should fill out the form is going to be yes. When in doubt, this is the best course of action.

Taking care of 300 sheep is more than likely going to constitute a conflict of time. At this point the sheep become basically a part-time job.

If there is a manager, the concern is greatly reduced. The manager would take care of the day to day issues. However, if Mary regularly fields calls at work, etc., it could become a concern. The goal is to keep University employment, resources, etc. separate from a private business interest.

There is another component that could play a part here. What if Mary decides to donate or sell some of her sheep to 4-H? You should contact the Dean of Extension and discuss.

5. John Etheridge is a faculty member in Food Science and Human Nutrition. He and his wife decide to start a business, “Smoothie World”, on University Avenue. John only works there occasionally on weekend nights. It’s a great place for students. Rather than me his students on campus, John regularly meets with his undergraduate and graduate students at Smoothie World. His students even get a discount. It becomes “THE” place for the smoothie aficionado. Should John fill out the form? What if he worked in Animal Science? Agronomy?

Are there other issues involved here beyond outside activity?
Fill out the disclosure form; however, a conflict of interest is present so it would most likely be disapproved. There would be no real difference regarding which department he’s in. Basically, John would need to decide whether he wanted to be a faculty member or a restaurateur. The line between faculty member and “Mr. Smoothie” would be virtually impossible to defend regarding student issues. Was the poor grade a result of not going to Smoothie World? Was the good grade a result of going to Smoothie World?

6. Elliott Remmington is a faculty member in Soil Science. He and his wife decide to join a partnership that will own the locale franchise of “Hooters”. Hooters is a restaurant/sports bar whose wait staff consists of females wearing halter tops and shorts.

Are there any issues with Elliot being part of this partnership? Would the situation change if Elliot was a single male? Female? What if Elliot is promoted to Department Chair? Dean?

Elliott should absolutely fill out the disclosure form and it would be approved. However, it would not be seen as a good idea. Would it improve the image of the University and the faculty to see Elliott’s picture in the Gainesville Sun beside the picture of the restaurant? Again, there is nothing technically illegal. There would more likely be outcry from parents, etc. and would call Elliott’s judgment into question.

The situation does not change if the person is single or based on their gender.

The further along the administration letter one goes, the more devastating Elliott’s decision would be. More and more people would choose to “pick a fight” over his ownership. If a Chair, the department could lose donors, have angry parents, etc. These would more than likely escalate at the Dean’s level and beyond.

7. Dewey Teach is a faculty member located at Research and Education Center. His tenure department is Environmental Horticulture. The local Community College wishes to offer a class on “Home Horticulture” and wishes to hire Dr. Teach to be the instructor for the class. The class will be on Tuesday nights and Saturday afternoons for six weeks.

Can Dr. Teach do this? Why or why not? What if it were on campus? What if he were in a USPS or TEAMS position? What if he wanted to teach an archery class?

Not in this way. IFAS faculty and TEAMS are employed on a full-time basis. We have the capacity in IFAS to teach a University class at a community college. Such an assignment could benefit both the faculty member and the University. It makes no difference if the person is on campus or not.

Teaching takes preparation time and resources. To allow this would be providing University resources to the community college without commensurate investment.

However, if Dewey were in a USPS position, this could be approved as a part-time job. If the class is not related to one’s University responsibilities (such as archery, swimming, etc.) it is quite likely that the activity would be allowed for faculty and TEAMS as well.

8. Bobby Bovine has an approved outside activity. He and his brother have a small cattle and hay business that they operate on a part time basis. Bobby is a faculty member in Food and Resource Economics.
An Extension Agent contacts Bobby for information. Specifically, John Brown, a local farmer, is considering retiring and wonders what recommendations the Extension Service might make on the viability of selling some cattle (approximately 30) at this time. The agent asks Bobby for his input. Bobby discusses the pros and cons of such a decision with the agent. After the conversation with the agent, Bobby calls up his brother and tells him Mr. Brown is considering selling some cattle. His brother has known Mr. Brown for some time. Mr. Brown’s wife has been battling cancer and he’s not surprised about Mr. Brown’s consideration to sell.

Jeff contacts Mr. Brown immediately and offers to buy his herd. Jeff tells Mr. Brown that doing so will keep him from having to worry about an auction. He can come over the next day and start loading up the cattle. Mr. Brown agrees on a price and the deal is made.

After the cattle are gone, Mr. Brown’s neighbor comes over to visit. He too is in the cattle business and asks when the cattle were sold. Mr. Brown recounts what happened. The cattle were sold to the Bovine Brothers. The neighbor also knows the Bovine Brothers and suspects some foul play. He calls the Extension Agent and casually suggests he might want to sell. The agent tells him that he typically will call a specialist to get input on such a decision; he identifies Dr. Bovine as his usual contact. The neighbor thanks him and says he’ll think about his decision a little more and hangs up.

The neighbor calls you, the Department Chair, the next day and complains about what he describes as a foul deal. What do you think? What will probably happen?

The fact that he has an approved outside activity does not absolved Bobby from conducting his activates in an ethical manner. More than likely, Bobby will be disciplined (possibly dismissed) for an ethics violation. These facts show that he used information obtained through his faculty position to benefit his private business.