

Minutes
Indiana University
BLOOMINGTON FACULTY COUNCIL
February 19, 2008
Indiana Memorial Union Oak Room
3:30 P.M. – 5:30 P.M.

Attendance

MEMBERS PRESENT: Jack Bielasiak, James Biles, Lisa Bingham, Julie Bobay, James Capshew, John Carini, Angela Courtney, Diane Dallis, James Drummond, Robert Eno, Harold Evans, Christine Farris, Luke Gillespie, Laura Ginger, Dennis Groth, Karen Hanson, Robert Hatten, Amy Holtzworth-Munroe, Brian Horne, Kevin Hunt, Matt Jarson, Owen V. Johnson, Csilla Kajtar, DeWitt Kilgore, Lloyd Kolbe, Eric MacPhail, Valerie Markley, Terrence Mason, Bryan McCormick, Ursula McTaggart, Amanda Meglemre, Brian O'Donnell, John Paolillo, James Patterson, James L. Perry, Lisa M. Pratt, Diane Reilly, Jennifer Riley, Paul Rohwer, Jeanne Sept, Robert Shakespeare, Richard Shockley, Robert Terrill, Herbert Terry, Neil Theobald, David Waterman

MEMBERS ABSENT WITH ALTERNATES PRESENT: Todd Tinius (Eric Arnold)

MEMBERS ABSENT: Moya Andrews, Stephen Burns, Nicholas Clark, Aurelian Craiutu, Joseph Dejean, Paul Eisenberg, Pat Foster, Christian Kuzmych, Sarita Soni, Alex Tanford, James Wimbush

GUESTS: John Applegate, Randy Arnold, James Boyd, Steve Hinnefeld, Ben Phelps

Agenda
Indiana University
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February 19, 2008
IMU State Room East
3:30 P.M. - 5:30 P.M.

1. Agenda Committee Business (10 minutes)
(Professor Lisa Pratt)
2. Presiding Officer's Business (10 minutes)
(Provost Karen Hanson)
3. Question / Comment Period* (10 minutes)
(Provost Karen Hanson and Professor Lisa Pratt)
4. IU Foundation Sudan Divestment Resolution [ACTION ITEM] (20 minutes)
(Professor Lisa Bingham)

<http://www.indiana.edu/~bfc/docs/AY08/circulars/B20-2008.pdf>

5. Authorship Guidelines [ACTION ITEM] (20 minutes)

(Dr. Randy Arnold and Professor Robert Hatten)

http://www.indiana.edu/~bfc/docs/AY08/circulars/B13-2008_Feb.pdf

Brief Recess

6. Draft Resolution on Sustainability [ACTION ITEM] (20 minutes)

(Professor of Geological Sciences Michael Hamburger and Paul Sullivan, Deputy Vice President for Administration, co-Chairs Sustainability Task Force)

http://www.indiana.edu/~bfc/docs/AY08/circulars/B16-2008_Revised.pdf

*Faculty who are not members of the Faculty Council and who wish to address questions to Provost Hanson or Professor Pratt should submit their questions to the Faculty Council Office. Our documents are available at: <http://www.indiana.edu/~bfc/>. To send e-mail to the Faculty Council Office: bfcoff@indiana.edu

AGENDA ITEM #1 AGENDA COMMITTEE BUSINESS

HANSON: Agenda Committee business? Lisa?

PRATT: Still no word from the President's Office on Family Leave, but John Applegate assures me it's on everybody's radar screen. They're well aware of the deadlines, and that we need not fret, so I'm not fretting. Intellectual Property Policy remains in the hands of the President and his cabinet. We still hope to see that taken before the Trustees this year, but it's not on the agenda as yet. Is that correct, John? So we will continue to push forward on that just hopefully to at least get a reaction from the Trustees this year, if not full resolution of the matter. You may have noticed that there was a last minute change in the agenda. The Action Item concerning Priority Registration of Athletes was removed from the agenda today at the request of James Wimbush. He asked on behalf of Athletics because representatives from Athletics would like to be on hand for the discussion of that matter, and their staff is simply overwhelmed this week with the ongoing investigation. The Agenda Committee felt that it was a reasonable request, and we will try to bring it back at the next meeting, simply because there is a bit of a deadline on this in that in order to make any changes with the complexity of the information systems, things need to happen pretty much right now. John, I've seen a nod from you. So we, again, we will defer it by one meeting but we think that that will be back on our agenda.

We had a very good meeting with Karen Hanson this week and she has indicated her intent to aggressively follow up on the findings of the Registrar and the academic policies committee on classroom utilization. I think that's very good news. It was something we identified at the very beginning of this year as one of the highest priorities for the BFC, and I'm very happy that she shares our concerns that we simply have a situation that has to be changed. We can't go on with classroom utilization not allowing for maintenance or renovation or even just routine scheduling of classes. She has called and we anticipate the reactivation of the Calendar and Scheduling

Committee, so if you're on that committee be prepared to do some heavy lifting the rest of the semester because the Provost would like to see some recommendations for specific changes that can be implemented in both the near term and the long term to do something about the situation without waiting for construction of new space.

As a final note, I simply want to tell you that it's been a busy week, with more than the normal number of requests for interviews from national and state media. Those interview requests have landed not just on me, but virtually on all the members of the Agenda Com and I'm sure on many of the rest of you as well. The Agenda Committee is waiting to see the results this week from the President's call for a rapid investigation of the NCAA Notice of Allegations. I assume many of you have downloaded the allegations and have read through them. They are quite detailed. They are quite specific and certainly disheartening. I think it's fair to say that the reputation of Indiana University is damaged by the alleged behavior, but the President's reaffirmation of values based on scholarship and ethics is a ray of light in this dreary situation, and we hope by the next time we meet we will be in a position of applauding some positive action and not seeking a resolution for some additional action. And that's a final note.

AGENDA ITEM #2 PRESIDING OFFICER'S BUSINESS

HANSON: Thanks, Lisa. Just to follow up on something Lisa said. I did, then, after we talked about this last week, I've been in touch again with Roland Cote, who's ready to help us move forward on the classroom scheduling business, as of course he always was. And I've gotten in touch with Jeanne to reconvene the Scheduling and Classrooms Committee, so that should move forward immediately. I've basically been involved in budget conferences round the clock now, so there's not a lot else to report.

PRATT: That was probably a good place to be this week.

HANSON: You're right. The Course Rules Committee did have its first meeting today, as John knows, and I think it was a productive one. They identified another budget of issues to talk about. The master planners had a first meeting with the - all of the people from the firm whom we interviewed in Indianapolis had a meeting with the chairs of the subcommittees on the Bloomington Taskforce last Friday, and they're coming back this Friday to meet with more people, so they're, again, on a very fast track, and if you want to have some part in that process, don't hesitate to be in touch, and to be in touch with committee members. PeopleSoft 9.0, I hear, is going well. I get updates morning and afternoon. There are some glitches, but they expect everything to be on track. We'll see. I guess that's it.

AGENDA ITEM #3 QUESTION/COMMENT PERIOD

We didn't - I didn't get any questions ahead of time. Did anybody? No? Okay. On to go then. The IU Sudan Divestment Resolution. Lisa? If you could maybe take the mike and go to that place for recording purposes, that would be terrific.

AGENDA ITEM #4 IU FOUNDATION SUDAN DIVESTMENT RESOLUTION

BINGHAM: We got to this a little bit faster than I thought we would, so Rex Stockton isn't here yet, but will be joining us. I'm Lisa Bingham. I'm co-chair of the IU Foundation Relations Committee of the Bloomington Faculty Council. Rex Stockton is my co-chair. Just to refresh everyone's recollection, on November 6th the Fringe Benefits Committee brought to the BFC a resolution to the effect that Indiana University and the Indiana University Foundation should divest from certain companies doing business in Sudan as a statement of principal protesting the ongoing genocide in Darfur. On November 20th, the BFC Agenda and Fringe Benefits Committees together accepted as a friendly amendment, a proposal to separate the resolution into two. The first resolution as to Indiana University was passed by the Council overwhelmingly on November 20th. The resolution as it pertained to the IU Foundation was referred to the Foundation Relations Committee for study. We had not previously had an opportunity to study the issue. The Foundation Relations Committee has met several times since November, both electronically and in person. We've met with representatives of the IU Foundation to gather information, and to deliberate, and I am happy to report our findings and bring a resolution to the Council today. In the course of those deliberations, there were a few points we felt it was important to make with the Council. First, it is essential to recognize that the IU Foundation is a wholly separate legal entity from Indiana University. It is an independent non-profit organization. So, for example, Indiana University as a state institution is subject to Indiana public records disclosure laws. The IU Foundation is a private institution. It is not subject to those laws. This works to IU's benefit. For example, when donors wish to remain anonymous or when they wish their personal information and donor records to remain confidential. Second, the Bloomington Faculty Council of course has a formal role in the governance of Indiana University pursuant to our constitution. However, we have no formal or legal role in the governance of the Indiana University Foundation. That responsibility is invested in a volunteer Board of Directors, which include many generous and loyal alumni of Indiana University. The Board of Directors, in turn, owes a fiduciary duty to the Foundation. It has charged an Investment Committee with acting to oversee the IU Foundation's investment policy. That Investment Committee must act in a reasonably prudent and fiscally responsible way to preserve the endowment and invest it to obtain a reasonable return. This is a legal obligation on the members of the Investment Committee. Our Foundation, for those of you who aren't aware of it, is among the top in the country in terms of its rate of return and fundraising on our behalf. And we're in the middle of a very successful campaign. There was a billion dollar campaign at Indianapolis in recent memory. So, in keeping with the difference in governance roles for the Bloomington Faculty Council I think it's important to recognize - and the committee felt it was important for the membership here to recognize - that at most we can transmit our sense of the faculty on the issue of divestment for the consideration of the Investment Committee. Third, we did examine the legislation that was passed last spring by the Indiana General Assembly. That legislation does not pertain to the IU Foundation. It addresses retirement funds for state and public employees, and the IU Foundation, it is important to recognize, and is important, actually, for the public to understand, that the IU Foundation really has nothing to do with either these retirement funds or with fringe benefits for IU faculty. The closest analog in our deliberations that we discussed was the retirement funds that we each, as faculty members, invest in either TIAA-CREF, or some combination or other approved funds, and we each have, of course, complete control over these investments and we each could divest at our individual discretion. Finally, our committee was skeptical as to whether divestment would have any practical impact on the ongoing atrocities. And among our members is Professor Stockton, who actually has

students working on the ground in Chad and Sudan. He has shared information with us and we've also done some research, and basically our conclusion is that the Sudanese government is in effect subsidized by China, that only China is in a position to make a substantial difference in what's going on. It's shown no willingness to do so, although the efforts of individuals that have been in the press recently to deal directly with China, for example Steven Spielberg regarding the Olympics, might have some chance of influencing them. Nevertheless, our committee does recognize that the overwhelming sense of the Council was that a resolution has symbolic value and that the BFC membership had already indicated its will to make a statement of principle through its November 20th vote as to Indiana University. We therefore met with representatives of the Foundation in order to determine the extent of its investments. We met with gracious and full cooperation and transparency in a collaborative fashion. We had an opportunity to speak with Gary Stratten who is the Chief Investment Officer for the Foundation and we discussed with him the nature of IU Foundation investments as to Sudan. The Foundation has no direct investments or stockholdings in the companies that are listed in many of the frequent divestment actions. We have provided for you a list that was prepared by representatives of Indiana University starting about a year and a half ago based on public information on websites and reports. And what it shows is a list of companies that are, have been targeted by a variety of divestment initiatives. It also shows the decisions of various universities in connection with divestment. And so these were the companies that we particularly looked at in our discussions with Gary Stratten. Again, there are no direct holdings in any of these companies. However, through investments in certain funds that have external investment managers, the Foundation has small positions in five of these companies. They include Siemens, Royal Dutch, Alstom, Sinotech, and British Aerospace Defense Company. All of these are foreign firms and the totality of Indiana University Foundation's position again, indirectly through investment in funds is approximately six million dollars. This is less than four-tenths of one percent of the entire \$1.55 billion dollar IU Foundation endowment. Thus, what we bring to you today, and what we have drafted before the Council is a resolution as requested by the membership and the Agenda Committee. The nature and the language of this resolution must recognize the legal independence of the IU Foundation, the province of the Investment Committee and the limits of our role in IU Foundation governance. We have endeavored to keep the language as close as possible to the original resolution that was brought before you on November 6th. We have, however, made changes that are consistent with recognizing that these are separate and different entities. We have addressed the request not to the Foundation, but to the Foundation's Investment Committee because any decision to divest must originate as a recommendation from the Investment Committee to the full Board of Directors. And we submit it to the council for your action today and I'm happy to answer any questions and Rex Stockton, my co-chair, has now arrived.

HANSON: Questions or comments?

PAOLILLO: What were the five companies again?

BINGHAM: Yes, they are Siemens, Royal Dutch, Alstom, Sinotech, and British Aerospace Defense Company.

HANSON: Yes?

BILES: I have questions about language in the resolution third line. You have, “that it shall request its fund managers to comply...” I’m wondering why you chose the word “request” and not ‘require.’ And the last sentence where it says, “fiscally responsible to do so.” Taking into account the constraints that you mentioned which are quite clear and taking into account the autonomy that the Foundation has, it still seems like there was some leeway to be a bit more forceful with the language and the resolution seems a little watered-down, I think.

BINGHAM: My understanding is, is Alex Tanford in the room? Or is he going to be a little late? Okay, Alex is on the Law School faculty helped us with the drafting. My understanding, and I would defer to him once he arrives, is that we - the Foundation on our behalf, on the behalf of Indiana University - purchases positions in funds. The managers of those funds have exclusive control over the investment choices made to those funds. IU can request that its portion not include those investments. The Foundation can request, however I’m not certain they can, in fact, require. What they can do is sell those funds.

BILES: Isn’t there a case where the fund manager is external to the Foundation?

BINGHAM: Absolutely.

BILES: See, that wasn’t clear in the ...

BINGHAM: That’s the problem. You see, the Foundation doesn’t have direct holdings in any of these stocks. It’s all through investments in funds just as we invest our retirement funds in CREF or the socially responsible investing fund or the real-estate fund.

BILES: But someone makes the decision to place the investment into that fund.

BINGHAM: Correct. And many, for example CREF, the directors of TIAA-CREF, have made the decision that it is more effective to use their stock holdings in those companies to attempt to influence company policy in the shareholder meetings rather than divesting because through divestment you then lose that voice and reasonable people can differ as to whether that is...

BILES: ...but we had the same argument back in November. We’ve heard that before. It just seems like this is completely ineffectual then. I mean...

BINGHAM: Well, we don’t think...the committee’s judgment that most of these activities are not going to make a difference on the ground is, I think, consistent with your conclusion.

BILES: Well, we can bicker about that. But we were talking in November about the symbolic nature of this resolution. I mean, it has a symbolic meaning that we agreed was important, and that’s why we passed the initial resolution for the University.

BINGHAM: And that’s why we’ve brought this resolution back to you.

BILES: Understood...

BIELASIAK: I'd just like to follow up actually on this. I'm troubled also by the language. It's diluted significantly. And I understand the legal relationship between IU and the Foundation. They think 'urging,' 'requesting,' - it falls short of what I hope was the intent of this body. I take issue also with the fact that there's nothing we can do. I think there's a different ___ between in-house managers and out-house managers and we need to think about that. I understand that even if we are dealing with out-house managers of funds, as was just said, the decision is to invest in those mutual funds over others and that decision can be rescinded. So that is greater leeway than I think appears here. I also take, I guess, issue with the fact that there is a shared responsibility which basically there is, and I would say that given the widespread divestment that is going on around the country and around the world, it would in fact be more financially responsible to withdraw funds from those risky investments which are being targeted. If there is withdrawal, more sellers, like the man would say, prices would go down, but ours would go down as well.

STOCKTON: Your problem is here those funds shift. That's a very small part of a very large fund. And that IU, for instance, would put in \$50 million dollars which would be a great deal of money to us but to a fund manager that's not a whole lot of money; they have billions. And so if we say, and I'm not, the resolution is certainly if that's what people want to have that's perfectly okay. But it really - keeping up with that, and which company has a little bit here and they trade all the time, it's very difficult. However, obviously, we will transmit to the Foundation whatever the body tells us to and wait for their response. I would add, if you had a chance to hear the Darfur speaker at noon today. You would have had the chance to hear the real complexity of the situation. This was a fellow who was in and out of Darfur many times over the years; it's quite an interesting discussion it was an announced, talk, and it was really worth hearing. But that's another issue. But it just talks about the complexity and the various things that are occurring.

BIELASIAK: But let me just respond real quick. Precisely because I think this is symbolic and even if it's a very small fund it matters with the symbolism and we should therefore apply as much pressure or whatever to try to have some consequence besides just words and, you know, I was there this afternoon as well and ___ said is 'work for divestment.' I mean, that was one of his messages. So despite the complexity, he was clearly in favor of this strategy.

HANSON: John?

CARINI: Well, there's also a very tangible risk, right, that people may not want to donate to the Foundation if they know their money is going to be invested in these funds. And that could be the much greater loss than unloading two million dollars worth of funds.

HANSON: Bob?

ENO: It seems to me that what we want, we probably agree what we would like the Foundation to do is to make a true effort to divest from these funds; wherever the Investment Committee feels that it can fulfill its charge to fiscal responsibility, the fiduciary charge that it has, and can divest from the funds or advocate effectively for the divestment of funds that we're invested in, that they do so. And given your report of the Foundation, the Foundation is at least open to taking that stance with regards to its Investment Committee's policies. I tend to agree with what

Jack just said that this falls short of making clear that what we want to do is to accomplish divestment wherever it is possible to do so. It seems instead to- basically I guess what we want to say is, wherever a fund manager who is external to the Foundation is unresponsive to the request that the fund divest that the Foundation divest from that fund wherever it is consistent with their fiduciary responsibilities. And since the amount of money that we're talking about is not a large amount of money and there are always alternative investments that can be made, it seems to me very unlikely that there is any step that the Foundation could take in this regard that would be irresponsible in terms of their fiduciary responsibilities.

BINGHAM: May I just reply to one assumption that's in your comment and that is, while the amount of money in these five companies is small, that amount is part of a much larger investment in the funds and therefore it is not, the details of which I don't have, and therefore the issue of fiscal responsibility is much more salient than the number six million dollars would suggest. Part of the problems of divestment is we've got diffusion and dilution and we've got companies owning companies.

GROTH: It's the case that in these investment funds that there could be, that there are many funds that have no position in these funds today but because they're completely outside of our control, on any given day they may trade in and out of an exact position...

STOCKTON: Exactly. That is a major problem.

GROTH: ...and a day after we say yes this is a good fund to invest in, or the Investment Committee does, they can make a position in, you know...

BINGHAM: And so that raises the question, that brings into comparison the TIAA-CREF strategy which is simply to use ownership to argue for divestment or for activities in Sudan that would have an impact and that voice is lost when you sell the position in the fund.

HANSON: Steve?

WEITZMAN: Did your committee in the Foundation set up any mechanism through which they could report back to you on any progress being made? Or efforts made?

BINGHAM: We have an ongoing mechanism for communication. The Foundation Relations Committee is different from a number of other committees that the BFC has because we are specifically a liaison and communication committee so every time the Board of Directors meets, we have members of our committee, approximately a dozen people, who sit in on committee meetings including the Investment Committee meeting and we have an opportunity to hear the exchange to contribute comments. So there is ongoing communication and it doesn't really require an additional mechanism. Does that answer your question?

WEITZMAN: Well would it be possible to kind of institutionalize a continued conversation about this issue so that we can keep track of...

BINGHAM: We can certainly report back to the Council. The next meeting of the Board is in June. And we can certainly report back to the council in September at our first meeting regarding any Board discussion on this resolution.

HANSON: Any additional discussion? Questions? Are we prepared to vote on this resolution? No? Okay, I'm seeing heads shaking with what I take to be no.

ENO: Yeah, my feeling is that I have enough reservations that I couldn't vote for this. I think it may be fixable. Because as I read this, what this is saying is that 'the Foundation Investment Committee shall request its fund managers then dot, dot, dot, to divest accordingly in companies as soon as it's fiscally responsible to do so.' And that does not have any implication for the investment strategies of the IU Foundation. It's simply a matter of issuing a request to others to act in accordance with the principles of this Council that this Council has joined. I don't think that that's an effective thing for the Council to approve of. I think that what we want to say is that the fund, the Investment Committee, will in its funding decisions, its investment decisions, make an effort to implement a policy that attempts to ensure maximum divestiture from funds that are invested in these companies. And I think that we're asking the Foundation to take as effective action as they're able to take and to adopt a policy other than to ask others to adopt a policy. It's the same policy that we would be asking fund managers to adopt. But we would be adopting it or that is, the IU Foundation would be adopting it itself. So my feeling, I'm trying to craft some language to suggest, but I haven't been able to come up with any. So that's why I'm shaking my head going....

HORNE: Perhaps I misunderstood. Is there any language that would give this body any control over that body?

STOCKTON AND BINGHAM: No.

HORNE: Then I don't understand how that's...

ENO: No, but it would be a request to the Foundation to adopt a policy consistent with our policy rather than a request to the Foundation to request fund managers to adopt a policy in accordance with our policy.

BILES: In essence, they're subcontracting out the compliance.

ENO: The policy.

BILES: And I think that's where the rub is, that's where the disagreement is.

HANSON: Well it seems to me we have two options here. We either vote this up or down, or you can make a request for a change in wording or both, we could do – well, not both - but let's see if this one passes.

ENO: I would very much like to see a change in wording in accordance with that notion, but I can't, haven't been able to come up with one quickly. I don't know that it's easy to do. So I

guess my request would be that we reconsider this, asking the Foundation Relations Committee to consider crafting languages to that effect. Does that...?

HANSON: That would be to table the resolution?

ENO: Yeah, but I'd be interested to know whether, I understand your points Lisa and Rex, but I'm just wondering whether or not this was an issue your committee already dealt with directly on that basis of responsibility.

BINGHAM: Well, given that the Foundation has no direct investments in the Sudan in any of these companies, you're talking about a policy as to a non-issue, I think, and that's... I mean, we didn't actually have that discussion. We discussed the nature of the existing investments, the role of the investment committee, and we deferred to Alex to help us craft language that was consistent with what we understood the role of the BFC in relation to the legal autonomy of the Foundation to be. Now, there's no dispute, there's unanimity in horror at what's happening in Sudan and the genocide in Darfur. So the question is simply, what is an appropriate policy response. This was, we thought, within the scope of what the Council had submitted to our committee to study. And the language, it was circulated to our committee members. All of our committee members unanimously felt the language was appropriate. We have about twelve members. No one raised this issue, the distinction you're parsing probably because we had this discussion about there being no direct investment. And so, I'm not, I can't say more on behalf of my committee than that.

BIELASIAK: I guess I support Bob's point, and I would like to see language that requests some systematic, I would even say aggressive, but that's probably not going to fly, policy that seeks divestment from companies and funds that have, you know, stocks or whatever, in those companies. I also raise issue about this list. I don't quite understand where it comes from. I see a huge gap, that Credit Suisse is the major underwriter of China Petroleum which is the major investor that's not on this list. So that leads me to question, what other companies have been left out which may have larger, you know, funds or investments in Sudan.

BINGHAM: That's why we did not in the resolution list specific companies. The list was prepared not by our committee, but provided to our committee and was prepared, it's my understanding by people within Indiana University. And the point that you make about Credit Suisse underwriting one of these other companies I think is precisely the problem. Where do you draw the line in the chain of investment? I'm not sure...

STOCKTON: And how do you find out, one week one company is doing something and then they're out of it, and the next week they're in another company's doing it. That's very difficult. The gentleman has a question.

HANSON: Kevin?

HUNT: I realize that's, I mean, I recognize the difficulty. I'm going to just skip over I think the.... These questions have been asked. During your discussion you probably considered the possibility of instead of requesting to the fund managers that they divest, some wording like,

‘after making a good faith effort to convince fund managers to divest from these companies, if this should fail then the Foundation will divest from the funds that hold control,’ you know, ‘that hold positions in...’ whatever the list of companies is. And you must have...do you understand what I’m saying?

BINGHAM: Actually, we did not. We did not.

HUNT: You didn’t discuss that.

BINGHAM: We didn’t consider that to be a reasonable option. Because, again, what you’re talking about is infeasible from a practical standpoint. These funds are moving targets. You can divest from one, one day - you can simply say, ‘Okay you’re not selling your position, therefore we’re selling you...’

HUNT: Right.

BINGHAM: ...and then you’ll find that some other fund of yours is in the same situation, meanwhile the fund you divested from has sold that stock for financial reasons. The problem is, we’re dealing with a fluid, fiscal stock market. And this is, I think it’s also important to understand, this is not the same as the situation with South Africa. First of all, these aren’t American companies. And my understanding of the divestment resolutions as to South Africa were to ask American companies with money and plant and facility on the ground in South Africa to leave. This is just a resolution about selling stock. And, in fact, the sale of stock in these companies - we were persuaded in the, and again, many members of the committee brought information to the table - it doesn’t actually, unless the sale is on such a widespread basis as to depress the market value, which so far my understanding is that this has not happened and would have happened, for example, with the case of Philip Morris and cigarettes, there was some impact. Then the actual sale of the stock doesn’t directly affect the companies...

STOCKTON: Right.

BINGHAM: ...which is different again from what happened with South Africa and the resolutions about that as well.

HUNT: I find the argument that it’s very difficult to tell which of these funds has positions in these various companies, I find that very forceful, but I don’t find the argument that, ‘well we can’t have enough of an impact to influence them,’ very forceful. Because, of course, any time a movement like this starts, for the first few people who sign on there’s very little effect. It’s when you reach some critical mass. But when you refuse to sign on you’re preventing that critical mass from being reached.

BINGHAM: Which is why we brought a resolution back to the Council instead of, I mean, the alternative action the committee could have taken was to come to the Council and recommend that we not have such a resolution. But we didn’t do that. We did bring the resolution back for precisely that reason.

HANSON: Bob?

ENO: I'm going to try to propose some language. I understand exactly what you're saying about the difficulties, we agreed when we talked about it in November that we have no way of knowing whether this will have any effect even as regards to IU itself rather than the Foundation and that this was in fact the Council trying to join and bring Indiana University into a statement of principle that will join with other universities making the same statement because of ethical grounds. Because it's the right thing to do. My concern is the 'request the fund manager' phrase which seems to shift the ethical burden off the University and the IU Foundation and onto somebody else. Only that clause. So let me just suggest this language, see if it makes sense. Same language down to the "to adopt as policy" in the second and third line where I suggest, 'To adopt this policy that it shall seek to bring its investment portfolio into conformity with'—strike "requests its fund managers to comply with,"—'into conformity with the requirements placed on the state of Indiana's,' keeping the language the same after that until you get to the word "divest" in the fifth line, 'and to divest to the degree of its ability from companies doing business with the Sudanese government.' And everything else stays the same. That would seek to ask the Foundation to adopt a policy of trying, to the best of its ability, make its investments in accord with the requirements that the state of Indiana has placed, and so on and so forth. What 'the best of its abilities,' means given the fiduciary responsibilities of the Investment Committee and the complexities of the problems that you're speaking of is not determined by the resolution. We have to leave it up to a good faith effort. It is true that there are, there have in the past been funds which attract investment by stating certain types of investments that they will not make. And it may be that over time if this situation persists and there's no momentum along these sentiments, funds will seek to attract investments from investors like the Foundation by stating that they will do their best to avoid, they will have a system in place to avoid, investing in corporations that have this connections with Sudan. That would then become the type of fund that, given fiduciary constraints, the Investment Committee would seek to invest in as opposed to a fund that didn't.

HANSON: So, Bob, are you saying you're proposing that as an amendment?

ENO: Yeah I'm proposing that as an amendment.

HANSON: I think I have it, but do you want to read it again and see if there's a second?

ENO: Okay. So from 'Therefore be it resolved that the Bloomington Faculty Council urges the Board of Directors of the Indiana University Foundation, through its Investment Committee, to adopt this policy that it shall seek to bring its investment portfolio into conformity with the requirements placed on the State of Indiana's Public Employees Retirement Fund and its Teachers Retirement Fund by Indiana Code number through number and to divest to the degree of its ability from companies doing business with the Sudanese government within the 15-month time frame specified by Indiana code number,' same to the end of the paragraph.

HANSON: Is there a second?

PAOLILLO: I second.

HANSON: Any discussion?

CARINI: I think the problem is that read literally, they could say we're already in compliance with this because we don't invest in those companies directly. Which seems to be what the law is aimed at. Whereas this, as it's worded here, you're trying to get, change the fund managers for the funds that we're investing in to change their behavior.

ENO: I see your point. We're giving up something.

HUNT: Read it again, Bob, from 'to adopt.'

ENO: 'To adopt this policy that it shall seek to bring its investment portfolio into conformity with the requirements...' and so on. And what John seems to be saying is what we lose is asking the step to contact fund managers and let them know about this that we wish they would adopt this policy too. Is that right, John?

CARINI: Right, that we're not investing in these companies anyway. Now, if you read it more broadly of course, it would include both, direct investments and these funds that have investments.

HUNT: What if you add your text, Bob, but don't strike the "request its funds managers to comply" and you add an 'and' there.

Eno: So the "seek to bring its investment portfolio into conformity with" preceded by an 'and' and come right after the "request its fund managers to comply with," with a comma. "Request its fund managers to comply with, and seek to bring its investment portfolio into conformity with the requirements placed..."

HANSON: Actually, now that it is changed. Is there a second to the..?

WATERMAN: Well adding that somehow sort of seems to say, you know, we want to have a policy of avoiding these companies but we're not serious about that and we want to urge you to talk to your managers that they should make these changes. But I think that the earlier gist of what you said about what a resolution should do is correct. I mean to say that we have no influence is to, and I don't know much about financial markets, really, but is to assume that the financial fund managers are absolutely unresponsive to the demands of the final consumers of their products. And, as pointed out, a variety of institutions and individuals have said that they will only invest in certain funds that avoid certain socially irresponsible firms by their definitions and the competitive market seems to produce funds that say that 'we will comply with that,' and a significant number of people do. So, to have any effect at all, the resolution I think has to go along the lines of what Bob said. That it has to be some kind of an action of the Foundation. It doesn't have to be a commitment that the Foundation is going to start acting in a financially irresponsible way, it just says that the Foundation will make every reasonable attempt to select funds which minimize their investments and don't make investments in these firms.

HANSON: I think - can we just stop and make sure we all know where we are? I assume that since Bob crafted the change in the amendment that it's a friendly amendment to the amendment and whoever seconded it, do you still second the amendment as it's here?

PAOLILLO: I'm happy with either wording.

HANSON: Okay, any further discussion of the amendment then? Do you want to vote on the amendment? Bob do you want to read it again?

ENO: 'Therefore be it resolved that the Bloomington Faculty Council urges the Board of Directors of the Indiana University Foundation through its Investment Committee to adopt as policy and that it shall request its fund managers to comply with and seek to bring its investment portfolio into conformity with the requirements placed on the State of Indiana's Public Employment Retirements Fund and its Teachers Retirement Fund by Indiana Code §§ 5-10.2-9-1 through 5-10.2-9-36 and to divest to the degree of its ability from companies doing business with the Sudanese government within the 15-month time frame specified by the Indiana Code §§ 5-10.2-9-26 or as soon thereafter as it was fiscally reasonable to do so.'

HANSON: All in favor? Opposed? Passes. Now to vote on the resolution. Alright, all in favor of the whole resolution? All opposed? Abstentions? **[Resolution passes with one abstention]** It passes. Do you want to take a brief break now or do you want the authorship guidelines? Randy Arnold and Bob Hatten, would you, who's here actually? Lisa, thank you. We're moving on to—there, if you could take a seat at the microphone—to Authorship Guidelines.

AGENDA ITEM #5 AUTHORSHIP GUIDELINES

HATTEN: This is Randy Arnold, and I'm Robert Hatten and we're on the Research Affairs Committee. We had a first reading of this Guidelines on Authorship on, I believe it was December 3, is that correct? So it's up for a second reading now, we've had a few [Tape side A ends – some comments lost] the second full paragraph there, "the Vice Provost," it begins line three, 'no fewer than *three* faculty members.' The intention was, Randy you might want to speak to this.

ARNOLD: Yes, I think it was just the intention to make this more manageable. If the dispute includes someone who's not a faculty member then it's requested that there be two non-faculty members on this resolution committee so that would bring the number up to five. And I think that this number, if we didn't change this back to three, then you could have seven people and it just makes it difficult to manage and sort of too many people to come to a conclusion so we wanted to make it so that there could be as few as three, but normally five up to as many as the Vice Provost or Vice Chancellor thought was reasonable for that particular dispute.

HATTEN: If you haven't had a chance to look at this in a while, the distinction is "Guidelines on Authorship" and "Policy for Dispute Resolution." That came out of our meeting last December. They're not a set of rules. At the bottom of the Guidelines, it says that we request

that schools and departments adopt and disseminate policies that would be specific to their particular accepted norms so that they can make more specific kinds of recommendations.

HANSON: ___ draw our attention to?

HATTEN: Well the general policies for dispute resolution have several stages of mediation, leading to arbitration, leading finally to “referred to the campus Vice Provost or Vice Chancellor... for a final decision,” and thus the committee structure here. So it’s hoped that any conflicts would be mediated or arbitrated well before it got to that point.

HANSON: Thanks for the discussion.

PRATT: Bob, is there a reason that we’ve got this Vice Provost/Vice Chancellor given that here in Bloomington we’ve now cleaned that up, or is this intended to guide system wide?

HATTEN: Yes, so IUPUI, the Vice Chancellor.

PRATT: So they’re aware of what we’re doing and they’re sharing this language with us or are we just going to recommend this to them through the UFC? I assume if it passes here then it would go on to UFC.

HOLZWORTH-MONROE: I have a question. I apologize if this were in the discussions earlier this year, but the last paragraph here about adopting your own norms in your area. I would certainly turn to the example of the American Psychological Association has its own ethical guidelines that we’re required to follow. So I think that’s taking care of here where you’re saying, you know, follow the norms, but what I wonder about is, suppose there’s a dispute with a student and it’s taken through this process. Is the policy to be used this policy or the policy that guides the ethics within that area?

ARNOLD: It would be the principles that guide that area, I believe.

HOLZWORTH-MONROE: Is there somewhere in the dispute area that says something about dispute resolution or that could make that clearer?

ARNOLD: We haven’t specified that. That could be clarified.

HATTEN: So you have a complete set of guidelines and policies?

HOLZWORTH-MONROE: The APA has guidelines for deciding on publication credit. And there are probably other professional organizations that do also.

HATTEN: And that goes through the profession and not the university?

HOLZWORTH-MONROE: Right.

HATTEN: I see.

HOLZWORTH-MONROE: And it requires the licensure and things like that.

HATTEN: Well, we do have the statement at the very end that should “not supersede any contract or negotiated agreement on behalf of the University” for context. I think if we expanded that statement...

HOLZWORTH-MONROE That might be a good thing.

HANSON: Any discussion?

TERRY: It’s a bit of a hypothetical question, but what would happen if you had authors from two different fields or disciplines with different expectations?

HOLZWORTH-MONROE: Well, actually, that’s – let me just say - I’ll answer your question, within psychology journals if you’re publishing ___ it probably depends on the journal you’re publishing in. So psychology journals actually make you sign off on a form saying you followed the APA psychology guidelines for authorship and all the authors have to sign those forms. So my guess is, if you were publishing in a psychology journal you would be following the psychology guidelines.

HATTEN: Maybe we could add the phrase, ‘or other professional society guidelines?’

HOLZWORTH-MONROE: That would be correct.

HATTEN: That would be...Okay, or ‘other professional society requirements?’ Or ‘guidelines?’

ARNOLD: ‘Requirements.’ Makes it stronger.

PAOLILLO: Three comments. I will make them brief. First, is that at our last meeting where we discussed this, there was quite a bit of discussion about what would happen in the case of a dispute that was across institutions , say here at Indiana University and somewhere else perhaps, somewhere else in the world. And I don’t see any language in here that addresses that. Second thing, I’m a little dubious about the policy for dispute resolution in two places. One is, “If the chair or director claims co-authorship of the work mediation may be delegated to associate chair or senior faculty member within the department agreeable to the parties involved.” I really have some doubt as to whether that is going to work. And the third thing is also in this policy for dispute resolution, “The Vice Provost/Vice Chancellor may choose to arbitrate,” “*may choose* to arbitrate the disagreements through separate or collective discussions with the parties involved in the dispute, alternatively...” blah, blah, blah. It seems like the administrator has quite a bit of latitude there and I’m not really entirely comfortable with that. Could you say something about what in this actually guides that choice such that we would know it to anticipate it in a particular circumstance.

HATTEN: I think the notion here was to try to resolve conflicts as quickly and amicably as possible, in each case—the second point you made that if the mediation did not work with an associate chair or senior faculty member, then it would simply go to the next stage, forwarded to the dean. So that might be a very quick thing that would happen. I would think it would be in the interest of higher administration to try to arbitrate, but if it, you know, we leave the flexibility to that administrator to determine if it doesn't look like it's going to be possible. If they try to arbitrate it, it doesn't work, then it goes on to some sort of committee. So that there are several stages of conflict resolution if you will.

PAOLILLO: There are some schools that don't have departments.

HATTEN: Doesn't it say school or department?

PAOLILLO: Well, I mean, in which case it would be referred directly to the Vice Provost/Vice Chancellor.

HATTEN: Okay.

PAOLILLO: So, you know, in the idea of involving a senior faculty member whose role is just - doesn't seem to provide sufficient guarantee, particularly to people who would be less powerful in this context. So I'm just looking at this resolution policy and it's just very easy to imagine places where this will go wrong. You know, circumstances - it's just not very hard to come up with one, you know, that is very, very entirely plausible where this would go, you know, very badly for some weak party.

[Tape garbled – comments missing]

HATTEN: Well, we currently do not have any guidelines for authorship. And I don't know if these conflicts have come up and have been addressed in various departments or schools. We may not be talking about that many cases. We may need to revisit this after it's been in place and we see where those conflicts come up.

ARNOLD: And I can't say that I've looked at many other guidelines or policies for other institutions, but what I can say is that for the ones that I've sampled, our policy for dispute resolution has many more layers than any of the other ones. So, in terms of having multiple chances to arbitrate at different levels, I think ours does the best job of any that I've seen. Whereas others just may direct it essentially to a chairperson immediately and that's the only guidance that's given. Here, we have several levels of guidance that I guess the aggrieved party could pursue. Right? Because that would be the one that would not be happy with the first mediation or the second mediation until they get all the way through to, in this case, a committee. At least they have a guideline or they have a policy here that gives them that sense of direction. They're not just left after one unsuccessful mediation at a point where they don't know where to go. So this gives them several places they can go, fraught with many possible problems, but still an opportunity to hear their dispute.

HANSON: Other discussion? Did you want to comment on that Jeanne? Did you want to comment on any of that about whether or not these cases are current right now, whether or not they're mediated by...?

SEPT: I'm not aware of any currently _____. There's been one in the last four years and _____. They all, the ones I've been aware of, relate to the ordering of authorship and the responsibility of the post-____ on the contract as opposed to students and who won't use this.

HANSON: Bob?

ENO: Do I remember that this policy is being drafted in part because we had to redraft our Research Misconduct Policy? And this has become an orphan policy? Research Misconduct Policy had very robust procedures built into it. I'm sympathetic with the notion that this is not particularly, the policy will not catch all the problems that may arise. I'm also sympathetic with the idea that perhaps we don't need as robust a policy as existed in research misconduct for this one area of research misconduct which is no longer considered under that policy. But, so I would be prepared to vote for this, but I would like to suggest we add one feature to it which is a mandatory report be made that there was a dispute and that that report go to some BFC unit and that the BFC at least be able to track whether or not these disputes are occurring and if they are, then we can address whether or not we need a full, robust policy which would address all these things. And that might be easy to put in right at the end.

HANSON: Do you want change the language on that? [laughter]

ARNOLD: Let me ask you, would this be a dispute that has to reach the level of the Vice Provost? Or would this be any dispute? It might be difficult to find all...

ENO: How about any dispute that reaches the level of dean? So all disputes reaching the level of dean of school or Vice President or Vice Chancellor or Vice Provost?

HANSON: Do you want to draft that silently while we take a ____?

EVANS: I noticed one conceivably annoying point about the last paragraph. In the claim that, "This committee shall receive written representation from all who claim to be co-authors in the dispute." This would be very cumbersome for those collaborations that have hundreds of thousands of co-authors on them. So I would suggest that that shall be struck from the...

HATTEN: Well this is the reason why we've asked the different departments and schools to craft their own individualized...besides I was not aware of any that had hundreds of thousands of authors.

HANSON: Are you asking for the whole sentence to be deleted?

EVANS: I think the word "shall" should be marked out. Unless you want to solicit a letter from all thousand authors on campus author lists.

HATTEN: But if we change it to principal co-authors, then the dispute may be over someone who's not a principal co-author, so how do you...?

EVANS: There's no principal co-author distinction on this page. That's why we have very clear policies about authorship.

ENO: I don't know if this is the right route. 'The occurrence of all disputes reaching the level of dean of school or Vice Provost/Vice Chancellor shall be reported to the Research Affairs Committee of the Bloomington Faculty Council which will provide an annual report to the Agenda Committee of the Bloomington Faculty Council.'

HANSON: Is there a second for an amendment?

CARINI: Second.

HANSON: Okay.

TERRY: I have a question about that. The language, the changes in here that deal with creative activities came about because I read the original version that was back here in December. The original version said that it applied to research and creative activities and then the rest of the resolution that followed that seemed to have only research in mind. And I exchanged several things with these folks and what was eventually decided was that we would insert this language defining authorship to include creative activity. That gets around some problems with the intellectual property law, property policy and what exactly creation means in that context. For the record, I circulated this to people on this Council that I thought would be involved in creative activity. Most of them agreed with what had been done. The one exception was the second line in the first bulleted point. There were some people, it turned out, who came from creative areas that didn't regard execution of a work as qualifying for authorship, but there were other people who did regard it as qualifying for authorship, and hence the "or" in that. My question for Bob would be, is the Research Affairs Committee the best place to refer this, or would it properly go to Faculty Affairs?

ENO: It doesn't matter to me, it's just to find some place that will collect this.

HANSON: You had actually said Agenda Committee, hadn't you?

ENO: I said that there'd be an annual - I was thinking that the reports would go to some committee that would every year just give us stats to the Agenda Committee if there were any...

BOBAY: Yeah, I support that. I just point out that the audience for this is going back and forth between Bloomington and system wide as a policy and guideline and that what we're crafting now is a Bloomington kind of procedure and guideline and I think that that's how at least I've been hearing this discussion up until now, and that would simplify things if we viewed this as a Bloomington policy and then if we wanted to proceed beyond Bloomington we could take it to the UFC for their consideration and it could, whatever is going to happen there could happen, but I think we need to be clear about who the audience of this is.

ENO: So your suggestion is just to scratch Vice Chancellor wherever it occurs?

BOBAY: That's what I would suggest.

PRATT: I think that we would actually include its fate to the nature that does not appear to have been pre-written for the system.

ARNOLD: I think we can accept that as a friendly amendment.

PRATT: Are you accepting as a friendly amendment Bob's language, his reporting language?

HANSON: Yes, and then there is that one other additional point about the sentence that says the committee shall receive written representations from all the authors? What do you want to do about that?

HATTEN: It makes sense for it to come to this committee, and that this committee would report. Is that what you're saying?

HANSON: No, I'm talking about the, I take it you've accepted both of those suggestions as friendly amendments. The remaining question has to do with the sentence that reads, "this committee shall receive written representations from all who claim to be co-authors."

ARNOLD: Can we change "shall" to "should?" Was that the request, changing "shall" to "should?"

EVANS: Or "may."

ARNOLD: "May?" Okay... Then yes, that's acceptable.

HATTEN: And the friendly amendment of 'or other professional society requirements' at the very end of the document.

HANSON : Other discussion or comments? Are you prepared to vote to endorse this?

TERRY: Just a quick question. Bob, did you intend this report to go to the Agenda Committee or the Research Affairs Committee or where?

ENO: Reports will be made to the Research Affairs Committee. They will annually report what they've got to the Agenda Committee.

HANSON : Everybody clear on what's the status of the guidelines or policy? Okay, so you're prepared to vote. All in favor? Opposed? Abstentions? **[Resolution passes with one vote opposing]** I guess we'll take a short break. As in, please just grab something to eat or drink and come right back.

Brief Recess

AGENDA ITEM #6 DRAFT RESOLUTION ON SUSTAINABILITY

HANSON: We are returning for the second reading and some action, presumably, on the Draft Resolution on Sustainability. And Michael and Paul are here, so I will turn, well they already have the microphone.

HAMBURGER: The only microphone. Well I don't think we have a formal presentation. This is now the third time we've been here so, we've gotten some feedback the two previous times we've presented a first version of this circular, B16-2008, at the last meeting. We got some informal feedback following the meeting and then some detailed discussions with Herb Terry and Kevin Hunt led to the present version. The modifications are relatively minor at least in the spirit of the items listed here, but there are, I think, some important clarifications and maybe some softening of some of the language I think that will hopefully remove some of the concerns that had been raised previously.

HANSON: Could you bring to the attention of the Council where you've changed it?

HAMBURGER: So I guess we didn't bring a copy with all the changes, the additions and strikethroughs. Basically, I think the most significant changes here are in the "WHEREAS's" are mostly some modest grammatical changes. In the "THEREFORE" statement we added the second part of that paragraph where it says the "Faculty Council endorses the *Campus Sustainability Report* as a framework for the creation of a campus wide sustainability initiative." This gets to the idea that it's not necessarily endorsing every last recommendation in the report, but that this should be a framework for carrying this initiative to the next stage. An important addition on item one was the addition the phrase "or comparable institutional structures." In other words, we're looking for support for the general idea of some kind of administrative organizational structure that will help move sustainability initiatives forward on the campus. Whether it's specifically an Office of Sustainability and where it's situated, I think, can be left open for further negotiation. And a second important change is in Item 2, the original phrase was in item A was "efforts to incorporate environmental literacy into the undergraduate curriculum." And I know this is an issue that was brought up before the Faculty Council, I believe last year, and raised some significant concerns. And so we elected to broaden that expression to "undergraduate learning experiences that can be brought into residential life and service learning and other kinds of areas of campus and community engagement." And I think the others are minor grammatical and stylistic changes. Herb or Kevin do you have any other comments on the changes?

TERRY: I'll just make one comment. Kevin and I ended up talking to these folks because of the concerns that the Agenda Committee had heard from a variety of people and we sort of tried to funnel the concerns that we had heard to them. The other thing that was something of a debate among people who had commented was that they missed an "or" that was originally, or had always been in point four. This is, if adopted by the council, this is not saying that we're urging

the administration to sign on to the formal campus statement on sustainability. There is an “or” that they could also become a signatory to other nationally recognized documents related to it. And so I, that was a concern of some people, and I don’t think it really was a concern based on the original language. To clarify what we did with 2, 2a, some people said what you’re trying to do is reopen Gen-Ed basically. When Ed said put sustainability into the undergraduate curriculum. And that was the reason for changing it to “undergraduate learning experience.”

HAMBURGER: So I think we’re open for additional questions or comments. Paul is there anything you needed to add?

HANSON: So, discussion?

PRATT: I just want to thank Michael and Paul for their extraordinary leadership and hard work on pulling together this. I think it’s a document everybody in the community is going to be very proud of. It really, almost overnight, changes the profile of Indiana University as a greener place to be. And I also want to thank Herb and Kevin for, on behalf of the BFC, on very short notice, helping to just craft the language in a way that we felt it would be more appropriate to bring to the plenary session for a vote. I think everybody has worked very hard on this. Thank you all.

HANSON: Additional comments?

MARKLEY: It’s certainly a very vital issue. But I’m also just wondering if you had any ideas about how many administrators, how much of money kind of thing? Which is what I always hear people ask those things.

HAMBURGER: Let’s just say, of course, all of this is very much open. I think in the long term we’d like to see this go into a very major part of our institutional presence. It’s clearly going to start on a fairly small scale basis. I should have mentioned that the current status, and maybe Provost Hanson can add some additional words, has been presented - our task force has presented the report to Vice President Clapacs who in turn has made a presentation to President McRobbie. I think that the plan is that it is to be discussed by the President and his cabinet over the course of the next few weeks. Probably some formal decision will be made and hopefully will engage other faculty and administrative units on campus. I think the idea is that probably, or our idea is, that initially it would start with one director or coordinator of an Office of Sustainability, some kind of level of student RA or GA support for the process. One of the core things that we’ve tried to make part of this is an internship program that has been very successful up to now. We’ve had twelve interns through last summer or thirteen six or so continued through the academic year. And we’re starting preliminary arrangements to start, to continue an internship program next summer. We’re not yet putting dollar figures on everything, but it’s starting to put some frame on what will be expected in the next year.

HANSON: And Paul and Michael and Vice President Clapacs and I met last week to talk about how to keep those internships going through this period as we...didn’t firm anything up, but there was a kind of a commitment from both of our offices.

PAOLILLO: So I want to first say I do very strongly support many of the recommendations in the report and I think that sustainability is a very, very important issue and something that needs to be at the very top of our consciousness all the time. I certainly worry about it a great deal. And I worry about it a great deal in connection with Indiana University. The thing which most concerns me about this particular resolution is the recommendation of an Office of Sustainability. What I understand the Office's function to be is that they're very much like the functions of many offices that we already have which is basically brokerage and liaison. And I don't see how brokerage and liaison is going to be something which will allow us to really solve the problems that we have in terms of sustainability in the ways that they need to be solved. I think that these problems are very, very deep. They're systemic, they're institutional and they're very, very deep. They go right to the priorities, in particular administrative priorities for this campus over the last twenty, thirty years. The same priorities that, you know, allowed buildings to decay, for broken windows in Memorial Hall not to be replaced for seven years, for a faucet to be running in the library and not to be fixed you know for seven years. They're the same priorities that allow our classrooms to fall into disrepair. And I think the problem is very, very much deeper. I'm trying actually to conceive of a sustainable university, and I, you know, given that the university depends on gifts, it's very, very hard for me to do. But even apart from that it seems to me that we need, it's a very fundamental basic value change that has to be made. And the only way that that can really happen, that I think I see, is through some kind of enforcement. And brokerage and liaison do not give you enforcement. And so I would be in favor of, it sort of feels to me like the Sudan divestment resolution that we were just looking at not too long ago, that our frustration is that we're looking at something where we can't get any enforcement. Now you may be able to get things to happen but you know, ADA twenty years on, you know, we have an Office of Disability. I don't see this campus being very disability accessible. I have direct experience with that. So, I'm wondering what an office is really going to accomplish to a brokerage and liaison out in the long term.

HAMBURGER: Well that's a very challenging question. I don't have a simple answer except that I completely agree that this concept of sustainability can't simply be done by a single person in an office sending advisory emails to people telling them what he or she thinks would work better for sustainability. It really has to be a process that pervades through every aspect of university life. Student residential life and faculty and staff work and interaction with the community and there's no way that it can simply be done as some kind of top-down either recommendation or edict. We have to, from my perspective, we have to find a process that allows sustainability to be built into the way we think about organizing our work efforts. How we're engaging with students in the classroom, how we're engaging with the community on the interface between the university and the community. I don't think it can happen without some kind of centralized resource that helps coordinate and facilitate these kind of interactions happening. At the same time, I don't think it can work simply with some kind of top-down organization passing out orders for how we have to, what lights we have to turn on and off and what, how we run our operations on a day to day basis. Let me just give you a couple of examples that come to mind. One is the campus planning master planning process that's going on now. This is really a place from my perspective where sustainability can have a big impact. As we're planning for years and decades ahead, how we're going to structure our campus. It seems to be an Office of Sustainability is a place that can help provide advice and engagement with the campus planning process as it touches the faculty and students and staff who are part of

that process, but bringing sustainability into the discussion at every turn. The second example is one somebody just asked about on the break is the recycling process on campus. Of course, there's an enormous amount of recycling that's already going on. But it's done quite differently here in the Indiana Memorial Union as it's done in the halls of residence versus the academic buildings versus outdoor recycling. There're even different units that are overseeing that. An Office of Sustainability could have an enormous impact just on facilitating discussions and cooperation that hasn't happened just because of kind of administrative barriers. It's a way to kind of open up the discussions that haven't happened up to now. So I do see an important role for liaison brokering facilitation. There's an enormous wealth of an eagerness I think we've met in all parts of the campus community from the operational and student and faculty sides. The staff are eager to make some moves in this direction and it partly just takes a catalyst to get us over some of these initial barriers.

HANSON: Kevin?

HUNT: I wonder, Michael, and I'm springing this on you without preparing you for it, related to these last two questions, what sort of office might it be and what sort of resources should be rallied and will it have any effect? We talked briefly once about how this is done at other universities that are ahead of the curve compared to us and we just talked briefly about that. But maybe if you could talk about, and again, I'm springing this on you, but if you have anything to say about what you've seen of how Offices of Sustainability or sustainability initiatives that worked at other universities and might help to conceive of how it would be done here.

HAMBURGER: I did want to, I do want to discuss that. I guess I wanted to give Paul a chance from the administration perspective, operational perspective some idea about how you see an office like this.

SULLIVAN: What we've observed so far is that the task forces has acted as a quasi-Office of Sustainability. We've had, especially since the report came out, we've gotten a number of emails, a number of comments, a number of suggestions. And what we've been functioning as is basically the coordinating body to try to filter that information into the operating units. The intent on the operating side is to build all the sustainability into the units themselves. We don't really anticipate having an operational Office of Sustainability other than functioning at a coordinating role. We've already made some progress in some of the units. Purchasing is now beginning to look at all the purchases from the whole life cycle from when you buy it and how you dispose of it. And the disposal part is always been ignored and we're beginning to address all of that now and we just want to embed it. It turns out that there's a lot more interest in the operational units down lower than we anticipated. We're beginning to look at green cleaning, changes in the kind of chemicals that we use for our cleaning. So from an operational perspective, we think that the office is important just as an overall coordinating body, but also it's important to keep the students involved. To keep focus on the students and try to get the internships and all those projects going for the entire year. As far as other schools, the only one I'm really familiar with is Michigan State. They've been at it for about three or four years. And Terry Link is their director of the Office of Sustainability and he functions in a coordinating role as far as I can tell. One of the things that has been our goal all along is to keep the academic and operational sides together. We don't want to go off on two different tracks. But from the

operational side, I don't expect it to be a huge budget issue. Now, if it takes off on the academic side, and we ___ and additional faculty positions, it could get bigger.

HAMBURGER: So let me respond specifically to Kevin's question. I think one of the nice things is, of course, that we're not the first ones to be doing this virtually every major public university in the country is in some way addressing this issue. There is now a fairly substantial and growing consortium of universities involved in sustainability efforts. The Association for the Advancement of Sustainability in Higher Education (AASHE) again serves as a kind of facilitating, coordinating national organization. They just put out a report on Offices of Sustainability with a survey of salaries and information about the directors of these offices. It turns out it's quite a complicated mix. There's maybe half of the people in these positions are actually under some kind of a facilities group that would be the equivalent of our Vice President for Administration structure. Whereas many others are either under the equivalent of the provost's office or some kind of a joint reporting line between the Office of the Provost and administration. In some cases these are people with technical backgrounds, kind of engineering oriented people who are kind of focused on the nuts and bolts implementation of sustainability efforts. In others, they're academic people who are associated with centers or institutes focused on sustainability. Again, I think, from our perspective, this integration across the boundaries between operational and academic sides of the campus is critical and having an office or a group of people that's connected both with the academic infrastructure under the Provost and the administrative structure under the VP for Administration is critical and exactly who that person is or that group of people are is critical to make this successful. And one of the lessons we've learned from Terry Link at Michigan State is it really is all about this kind of shuttle diplomacy that goes on. Getting the interns from an academic side or a service learning class connected with an operational group that's interested in exploring it and making these connections and allowing things to happen. In most of these places they're not offices with big budgets, but they're ones that kind of help to make things happen that might not happen otherwise.

HANSON: Other comments or discussion? Questions?

PRATT: I might add one additional comment, John, in response to what you asked. I really think the climate in fact has changed here in Bloomington and that when we look at the team of people that the various architectural firms brought to the table in the interviews for the master planning position, people who didn't bring sustainability to the table fell off the list almost immediately and that the firm we ended up hiring I think of all the firms we interviewed probably presented the strongest portfolio in sustainability and it was something that President McRobbie actually identified in the process as a key strength of this particular firm. So I think we are actually positioned to see a fundamental shift. And like you, I would really hope it works its way all the way down to basic issues that revolve around maintenance and turning on and off lights and a shift in the way we live our daily lives. But I think, I think it's already happening. I think something's changing.

HAMBURGER: One other addition I just wanted to make I think a very important role of this office or group or whatever it becomes relates to just communication. One of the big surprises to me is how much is already going on on our campus and all the various operational units all of the many student groups that are doing volunteer efforts. But somehow there just, there hasn't been

that much communication about what is happening. I think the idea of having a centralized resource, a website, a source of information, a place to connect the various groups that are working on similar projects would make an enormous impact.

TERRY: I'd add to Lisa's comments from a different perspective. For two or three years I've been going to meetings of the Trustees as a member of the Budgetary Affairs Committee here. I think there's an understanding on the part of the Trustees of this issue that is much deeper now than it was two or three years ago. And I've seen Vice President Clapacs and people working for him come and make elaborate and detailed presentations to the Trustees demonstrating the cost efficiency and their commitment to many aspects of sustainability. And it, it surprised me actually the first two times I saw them do it. But they mean it.

HANSON: Other comments? Any other questions? Would you like to vote then on the resolution? All in favor? Opposed? Abstentions? **[Resolution passes with two abstentions]** Well the resolution passes and I think we are at the end of our agenda. Early. Adjourned sixteen minutes early.

Meeting adjourned at 5:14 pm.