

Minutes
Indiana University
BLOOMINGTON FACULTY COUNCIL
April 1, 2008
Indiana Memorial Union Georgian Room
3:30 P.M. – 5:30 P.M.

Attendance

MEMBERS PRESENT: Moya Andrews, Eric Arnold, Jack Bielasiak, Julie Bobay, Stephen Burns, James Capshew, John Carini, Andrea Ciccarelli, Angela Courtney, Diane Dallis, James Drummond, Paul Eisenberg, Robert Eno, Harold Evans, Luke Gillespie, Laura Ginger, Dennis Groth, Karen Hanson, Robert Hatten, Amy Holtzworth-Munroe, Kevin Hunt, Matt Jarson, Owen V. Johnson, Csilla Kajtar, DeWitt Kilgore, Lloyd Kolbe, Bryan McCormick, Brian O'Donnell, John Paolillo, James L. Perry, Lisa M. Pratt, Diane Reilly, Jennifer Riley, John Scott, Jeanne Sept, Alex Tanford, Robert Terrill, Herbert Terry, Neil Theobald, Susan Whiston,

MEMBERS ABSENT WITH ALTERNATES PRESENT:

MEMBERS ABSENT: James Biles, Nicholas Clark, Aurelian Craiutu, Joseph DeJean, Christine Farris, Pat Foster, Brian Horne, Christina Kuzmych, Eric MacPhail, Valerie Markley, Terrence Mason, Mike Robinson, Paul Rohwer, Robert Shakespeare, Richard Shockley, Sarita Soni, David Waterman, James Wimbush

GUESTS: John Applegate (Office of the President), James Boyd (Herald-Times), Amanda Ciccarelli (Office of the Provost), Pam Freeman (Student Ethics & Anti-Harassment Programs), Dick McKaig (Dean of Students), Deanna Reising (Co-Chair, Student Affairs Committee), Sue Talbot (IU Trustee), Brad Wheeler (VPIT), Craig Dethloff (Faculty Council Office), Lebo Molefi (Faculty Council Office)

Agenda

1. Approval of Minutes
<http://www.indiana.edu/~bfc/docs/AY08/minutes/03.04.08.htm>
2. Memorial Resolution for Associate Adjunct Professor Robert Weiskopf
http://www.indiana.edu/~bfc/docs/AY08/circulars/B22-2008_Weiskopf.pdf
3. Agenda Committee Business (10 minutes)
(Professor Lisa Pratt)
4. Presiding Officer's Business (10 minutes)
(Provost Karen Hanson)
5. Question / Comment Period* (10 minutes)

(Provost Karen Hanson and Professor Lisa Pratt)

6. Affirmative Action Complaint Procedure Review (15 minutes) [FIRST READING]

(Professor Alex Tanford)

<http://www.indiana.edu/~bfc/docs/AY08/circulars/AAPolicyUpdate.pdf>

7. Revision of the Code of Student Rights, Responsibilities, and Conduct Procedures for Bloomington Campus (15 minutes) [FIRST READING]

(Diane Dallis, Head, Information Commons/Undergraduate Library Services, Wells Library)

<http://www.indiana.edu/~bfc/docs/AY08/circulars/CircB24.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: APPROVAL OF MINUTES

HANSON: Popcorn and come to order. First order of business is the approval of the minutes from March 4th. Anyone make a motion to approve?

JOHNSON: So moved.

HANSON: Second?

UNKNOWN MALE SPEAKER: Second.

HANSON: All in favor? [Aye]

AGENDA ITEM #2 MEMORIAL RESOLUTION FOR ASSOCIATE ADJUNCT PROFESSOR ROBERT WEISKOPF

HANSON: Alright, secondly we have a memorial resolution for Associate Adjunct Professor Robert Weiskopf, Jean?

SEPT: I'm going to stand up so I can project a little bit and once again, I'll read some selected academic excerpts and encourage you to read the entire memorial resolution that will go into the minutes.

Robert Weiskopf, Associate Adjunct Professor of Psychological and Brain Sciences, died at the age of 60 in June of this year, a death that ended his career as the best lecturer in the department, year in and year out, for the last 25 years. Indeed, judging by student comments he was the best lecturer that many students had at I.U. Over that 25-year period Bob taught over 25,000 students. His courses were always among the first to close during registration, despite the fact

that they enrolled 96, or 255, or 417 students, depending upon the course and the room size. There were certainly students who would have “majored in Weiskopf” had he taught more courses. As it was, he taught four different courses, and there were many students who “minored in Weiskopf,” taking all four of those courses. There were also the “legacies,” students whose parents had taken courses from Bob and had sent their children to I.U. with instructions to be sure to sign up for Weiskopf’s course. Not surprisingly, he received several teaching awards, including TERA awards and the Student Choice Award in 2004. Upon hearing of his illness this past fall, his students sent him hundreds of cards, notes, and emails.

Some of the qualities that made Bob an outstanding lecturer are obvious. First, he loved teaching. Of all the things that he did, and he did many other things, he said that teaching gave him the most satisfaction. It might sound like a contradiction, but Bob said that lecturing, particularly to a large class, was tiring and that at the same time the students energized him. Second, with as many as 400 students, one has to be something of a performer, and Bob was. In explaining some of the psychopathologies, Bob would take on the characteristics of the person so diagnosed, often without telling the class what was going on. He would begin to talk more slowly, have difficulty finding words, sigh and shrug, and make every movement with great effort. Eventually the class would understand that Bob was portraying a depressed client. Bob would go on for a while longer until students wanted to tell him that that was enough; he should stop. Several points were clearly demonstrated: First, and most obvious, the students got a first hand look at the behavior of a depressed patient. Second, and less obvious, students realized that simply telling a person to stop behaving in a certain way is no guarantee that they can stop. Also, clients with certain problems may be difficult to deal with: It was a performance with a clear, pedagogical purpose. A third quality, and one clearly related to the other two, was simply Bob’s enthusiasm for teaching. Closely connected to his enthusiasm for teaching and a key element in it was his enthusiasm for learning. Several years ago he commented on how impressed he was with all the exciting things going on in neuroscience. He wanted to learn more about it and convey the excitement of recent development in the area to his students in his introductory class. So, he sat in on our graduate neuroscience seminar, participated in the discussions, did the readings, and returned to his students the excitement of learning new ideas.

Bob’s enthusiasm extended well beyond teaching to include travel, the work that his children were doing, Italy and Rome, Barbara’s, his wife’s, pasta, but above all to include ideas and learning about ideas. Following a conversation with his son about a case in law school, Bob bought and read half a shelf of law books, because he found the subject interesting and quite different from his scientific readings, and also so that he could discuss some of the issues with his son. He was a voracious reader and collector of books on travel, books on places where he had been or wanted to go, and books about places that he was unlikely to go—just to know what it would be like.

Bob’s enthusiasm extended to his use of colorful language in a lecture to make a point. About once a year Bob would stop by a fellow faculty member’s office and report that he knew he went over the top that day in class. It was just too much. He knew that he would have to watch his language, that he would have to tone it down. Bob was one of the few people who could become extremely enthusiastic about curbing his own enthusiasm.

Those who knew Bob primarily through his teaching at I.U. often assumed that was his only job. Bob had two other occupations. He was employed as a psychologist at Quinco Behavioral Health Systems in Columbus, Indiana. For 35 years, Bob served at Quinco, where he directed the clinical internship program. He also had a private clinical practice in Bloomington. Many people who knew Bob only through Quinco or his private practice assumed those were his only jobs. With Bob's enthusiasm and energy and his wide range of interests, people speculated that if you checked Wikipedia and looked up the term "multitasking" you might well read "See Weiskopf, Robert." In Rome, for example, Bob combined his morning exercise and sightseeing: He used to run around the city, up and down the seven hills, to famous churches, tour them from the outside, and then keep running.

During his illness, which began in September 2006, the one thing that Bob said that he missed the most was teaching. He wanted to explore ways he might be able to continue to contribute. He helped the instructors who took over his classes last fall with detailed notes, lecture outlines, exams, and so forth. But of course he wanted to do more. He thought about attending one of our neuropsychology classes and describing to the students the effect that his brain tumor was having on his cognitive and motor skills. As he said, it was a chance to use his own illness as a teaching tool.

Part of Bob's history, not known to many, was the fact that he was born in Germany in a Jewish rehabilitation camp, as his father and mother were survivors of German concentration camps. He came with his family to the United States at the age of 3. As an undergraduate at the University of Chicago, he considered several majors, including philosophy and psychology. He eventually decided on psychology because, as he wrote in his application for graduate training at Indiana University, it "satisfies both my philosophical and scientific inclinations." Bob entered I.U.'s graduate program in 1968 and earned his PhD in 1974. He began teaching at I.U. in 1981. He was promoted to Associate Adjunct Professor in 1993. In his memory the Department has established an annual award for the outstanding undergraduate teaching assistant.

There was much that instructors could learn from observing Bob and his teaching, but there was an element that, while observable, was not easily transferable—Bob's personality, his way of engaging an entire lecture hall in the excitement of an idea, and making that idea real, vivid, and personal. Bob was unique and is irreplaceable.

Bob is survived by his wife, Barbara; his sister and her husband, Fay and Ben Finer, and their children Carl and Mitch Finer; his children and their families, Emma Weiskopf and Herb Gregg, Daniel Weiskopf and Beth Weiskopf; and Ben Newman, Mark Newman and Valerie Taylor and their children Soren and Ingmar Newman-Taylor.

This resolution of admiration and appreciation will become part of the minutes of the Bloomington Faculty Council.

HANSON: Let's have a moment of silence in memory of Professor Weiskopf. Thank you. Okay, the next item is Agenda Committee Business. Lisa?

AGENDA ITEM #3 AGENDA COMMITTEE BUSINESS

PRATT: Let me start by asking Herb to wave so if you don't know where he is, you can keep an eye on him. It is truly a sincere pleasure to announce that there was a unanimous vote –how rare is that! -- by the members of the nomination committee and the agenda committee for Herb Terry to replace me as the president of the BFC and the co-secretary of the UFC for the coming year. [Applause] I honestly cannot thank Herb enough for all that he has done in the past six months as I was spending increasing amounts of time traveling to represent the BFC at meetings of the Trustees and at an important recent meeting of the higher ed commission. And that was all on top of the already pretty heavy demands on Herb as the chair of Budgetary Affairs. I think he will make a wonderful president next year and he will step into the position with absolutely no time on any sort of a learning curve because he's been on the Agenda Com, he's been in the thick of everything and I think as many of you already know he has been a tireless and very effective advocate for the role of faculty governance in the next century of universities and Herb I thank you sincerely. Bart Ng and I continue in every meeting that we have with the president to ask about and urge him to keep pushing forward on the Family Leave Policy and at this point all we know is that we are hoping, sincerely hoping, that the president will make an announcement early in May following his next meeting with the deans and his next meeting with the chancellors which is timed to coincide with the next meeting of the Trustees. We don't anticipate any announcement prior to that. He has distributed the Family Leave Policy as voted by the UFC to all the deans and chancellors, but he simply says he's not ready to make an announcement until he has a face to face meeting with those two groups and then, again, it is our expectation that he will make an announcement and every signal that we're getting from him in our face to face meetings is that he intends to urge for a Family Leave Policy in the format and in the form that it was voted by the BFC and the UFC. But again, that action is being taken by the president and we are simply in a wait and see mode right now. Bart and I discussed again with President McRobbie where we are with the Intellectual Property Policy and we have decided at this point that we will not bring this back to the BFC or the UFC. We really believe that the faculty have made a good faith effort to work with the administration on this so-called concise and implementable policy document and that any change in the distribution formula will need to come as a unilateral recommendation from the president, and I think actually that works out quite well because both our recommendations and any further recommendations from the president in fact go to the Trustees and ultimately they will also weigh in on it. And it doesn't make any sense if the president wants to, and I'm not sure, John, you're standing back there, what his thoughts are at this point, but it just doesn't make sense to round robin this yet again. I think we have certainly come out clearly with the policy as we would like to see it adopted and at this point we just want to push it forward. We want to get it out of the president's office and in the hands of the Trustees. John, do you have any further comments on that?

APPLEGATE: No that's exactly right.

PRATT: Alright!

APPLEGATE: That's exactly where we are.

PRATT: Wow, exactly right? Ooo! Feeling pretty good about that. Couple of other comments. The Agenda Committee in its meeting with Provost Hanson this week came back to the wonderful topic of the calendar, the academic calendar. And we tried to figure out where we were beyond the fact that we will not have classes on Labor Day next, and we have asked the Provost to, and I don't know what we call this, reconvene or recall or recharge the Calendar Committee once again to look at a more long term comprehensive solution or change to the calendar if we were to consider the possibility that symmetrical semesters are not a bounding constraint. So, maybe Karen will talk about this in her comments, we, I mean that's where we are. I mean, the reaction as you may recall to the most recent convening of the group to look at this was that without removing the constraint that the semesters be symmetrical you cannot move forward and make significant changes. So we all have scratched our heads and said, 'Alright fine! Suppose you remove that boundary condition then, is any movement possible?' So that's where we are on the calendar. Certainly we don't anticipate anything coming back to you for action at the final meeting of the BFC this year, but we hope maybe over the course of next year, once again this problem can be addressed by a group of people who have already put a lot of thought and effort into this. And Lebo, if I can, Lebo, can I get you to wave or can I actually get you to stand up and so that people can -- because you're kind of behind the post back there. One final comment is a note from the BFC office, and again it's really a bit of happy news to announce that largely through Lebo's very diligent efforts over the past, over this past semester, we are going to have a new website that's ready to be rolled out. She is the graduate assistant in the BFC office. The website will have all of the features of the old website with an updated look, designed to make it easier, particularly for BFC representatives to find relevant and up to date information about current and pending actions. It will include some specific new features such as a News and Notes section and an updated search engine that will search only the BFC website. If you've tried to use that search and found yourself linking to all sorts of unexpected places, this is really an enormous improvement. It should maximize the relevant number of hits for somebody who is trying to gather specific information about Indiana University with regard to policy or guidelines or committee membership. Right now, there is still a link to the old BFC website, so if you log into that website, it'll take you to the new website and we encourage you to, as soon as possible, have a look at the new website. The office is eager to get feedback now about problems that you see or formatting changes or just, anything that you like or don't like, please let Craig or Lebo know so that we can polish it off before we completely switch and the new switch will be in one month at the end of April. And that's the news from the Agenda Committee.

AGENDA ITEM #4 PRESIDING OFFICER'S BUSINESS

HANSON: And just to follow up on that. I did set in motion the reconvening of that committee. And again, as you recall you had set a number of desiderata and what the committee said was that they can't satisfy all of the requests that you made. I told them that you were removing the symmetry condition. I think they will hope this isn't an iterative process. I asked them to come back with the options then, if that condition were removed, and presumably they'll do that. But I hope that was the condition you wanted removed because they probably don't want to do this any number of times. And the thought was that if they come back with something, most of that committee is made up of administrative folks, and so they will be working on that throughout the summer and will come back in the fall. The other matter that also pertains to scheduling is

connected to the Classroom Committee. As you recall this, the BFC asked me to convene the Classroom Committee to take up a report and a set of recommendations made by the BFC, I mean made by the EPC, and report it out in January of this year. I did that. That committee came back with a report at the beginning of March and suggested that there were a number of ways in which we could improve the classroom situation a bit. And that entail mostly removing the seventy-five minute option between 11:15 and 2:30 that will bring back a few more Friday classes and it'll, you know, make the puzzle fit together a little better and to be a little firmer in the request to scheduling officers that departments and schools comply with the regulations that are currently in place and the committee sent it to me to give to the deans for their review and to take back to their faculty. I did that at the first occasion. I haven't heard, well I heard one complaint, but the deans seemed to react fairly favorably to it and they're gathering responses from their faculty. I didn't hear any responses that indicated there would be massive problems from the schools if we moved in this direction, so my guess is that this can be implemented fairly soon and just as a directive. I mean you might want to vote on a sort of sense of things here, but I think really it is kind of an administrative matter to make the puzzle work a little bit better and have the pieces fit together. So it looked as if we were moving in the direction of the report of the EPC and I think there's, it's a little premature to have a motion on this now, but in a way I think we might rest content with the idea that we'll simply move forward with this administratively. That's about it from here.

AGENDA ITEM #5 QUESTION/COMMENT PERIOD

PRATT: I think we might note that, if you're not aware of it, there's been a fair amount of press just in the last week there was an article in the Indy Star...James was there in HT?

BOYD: Not yet.

PRATT: Not yet. Okay, there perhaps will be something in the local paper and there was an article today in the student paper. So there is a great deal of interest and seeing where Bloomington goes with this and certainly if you're connected with students they're a lot of students are demanding to know if we would, you know, would we actually go down the Purdue path? Or would eight o'clock be the earliest we would start a class and I just think we have to wait and see where we're going with this.

HANSON: And the other thing, as long as the press is in the room, I mean the other thing we talked about at the deans meeting was the extent of educational activities that go on in any case, but don't show up on classroom scheduling on Fridays. Internships and practicums and field work and so on plus the some of the statistics that had been out before had been misleading because Monday, Wednesday, Friday classes that have a discussion section on Friday don't show up as classes on Friday because the credit is apportioned to the Monday-Wednesday part, the lecture part, and not the discussion section part. And of course there are other uses that are made of these rooms on Fridays for departmental colloquiums, seminars, and meetings and so on and you know, hiring. So there are a lot of activities going on on Friday in any case, but we still have scheduling problems and we have to make the best use we can of our classrooms and so that's what the recommendations from the calendar and schedule committee are intended to help us do and that's what we're going to do. Any questions about that or anything else?

JOHNSON: Will Labor Day remain a holiday until the calendar committee makes a proposal? Because as I recall we just approved it for one year.

HANSON: Right, but that's this next year, and we hope to have things in place, this is a committee that could meet, as I say, quite promptly at the end of this year, come back to the BFC in the fall and have things ready to go. Other...?

PAOLILLO: When we had discussed this in our BFC meetings it was in the context of classroom utilization and the reports from the registrar and the like about the high level of classroom utilization that we have. I cannot see this perspective represented in the Indy Star article and I find that a little bit concerning. Is there any effort to get out to the public information about the extreme circumstances we are under with respect to lack of adequate classroom facilities and lack of new classroom facilities coming online?

HANSON: That was the aim of that I had in talking with the Indy Star reporter. There was a great deal of concern that there was a different agenda already set as the piece was being proposed. But I think in the end, it is mentioned in the Indy Star article that we have difficulty even changing light bulbs and making any kind of renovations and that a lot of the spaces aren't suitable for the kind of pedagogy that people want to use now and have reason to believe is a better pedagogy. So we certainly made an attempt to convey that to the reporter.

PAOLILLO: It got backgrounded with respect to the moral panic about the slothfulness of Indiana University undergraduate students. So I think that message needs to get out more.

HANSON: I think that, you know, that may have been an angle that was antecedently considered by the reporter. But the reporter also had those graphs, I mean, he, I think he may have come to the BFC meeting in the fall and he had the graphs showing classroom utilization that Roland presented at that time and those could without a lot of context present a sort of picture that would be pursued in this way I think so in a way it's not surprising. Other questions or comments on this or something else?

CARINI: Has the General Education Committee finished its work?

HANSON: It hasn't finished, but it has another meeting coming up on Friday.

PRATT: It has a meeting on Friday, and they will be reporting back to us at our last meeting. Is that not correct, Craig? They are on the agenda, John, for two weeks from today.

HUNT: I think we have two meetings this week.

HANSON: Other questions? Bob?

ENO: I just have a point of clarification on the Intellectual Property Policy. Do I understand what you're saying Lisa to be that no faculty voted the Intellectual Property Policy to move forward?

PRATT: It will move forward. It goes forward as our recommendation. It's the one that was voted on.

ENO: Which policy will that be?

PRATT: The one that goes forward is the one that was originally voted but there is a so-called concise and implementable one that comes forward as a recommendation from the joint committee. Now that was not voted on by the BFC so that's sort of a separate standalone document that represents a good faith effort by a set of representatives but certainly wasn't -- there would be no saying that that was the voted policy. The voted policy is the one that stands as a circular in the on the website.

ENO: Does that separate item include a revised distribution schedule?

PRATT: No, the distribution schedule in the consensus document is the same one. The one big difference is that the definition of gross and net is laid out in a somewhat different way in the consensus document. Because in reading what the document was that was voted, a broad group of people were unable to figure out exactly what that wording meant.

ENO: So, it will be two documents or three?

PRATT: It sounds to me like there'll be three. There'll be the document voted by the UFC, there'll be the consensus document from the joint administrative-governance committee, and then there will be a recommendation from the president's office. And all of that will go to the Trustees for their consideration. That was, as you well know, given the long history of this policy, that appeared to be the only way to simply accept the fact that there were historical points that were represented by individual documents but we had to get this thing into the hands of the trustees, hopefully before another year goes by.

ENO: I presume that the university owns copyright on all three? [laughter]

PRATT: I suspect you're right, Bob.

KILGORE: Back to the classroom stuff, classroom committee stuff, what is the Purdue route?

PRATT: Oh! At Purdue an individual student does not design their own schedule. They are given a schedule and that includes classes that start at 7:30 in the morning, go until 10:00 at night, and there are classes on Saturday morning. But it's by administrative fiat that the distribution of classes as I understand it in any given school is simply given to the dean of that school and it's up to the dean to spread the enrollment over the classroom availability through those hours of the day. Quite a different way of doing registration than we have here.

HANSON: I might mention that some deans have added to the list of things that their faculty might think about, the consideration of Saturday classes, and how they feel about that in the mix.

Anything else? Okay, let's move to number 6, the Affirmative Action Complaint Procedure Review for a first reading. Alex?

AGENDA ITEM #6 AFFIRMATIVE ACTION COMPLAINT PROCEDURE REVIEW

TANFORD: If you downloaded the attachment too quickly, you downloaded the wrong one. If you sensibly waited until you showed up here, what you got was a one-step penultimate draft if you downloaded too fast, the final draft is the one that is in yellow that is at your place. The reason for amending the campus discrimination and harassment complaint procedure was two-fold. One, it was over ten years old and it referred to a huge number of administrative offices that no longer exist such as the Dean of Afro-American affairs and things like that. It was getting increasingly difficult for Julie Knost in the affirmative action office to administer the guidelines because they were becoming ambiguous. The second one was a joint request from Julie in the affirmative action office and Doug Bauder of the GLBT, director of the GLBT center to add 'gender identity' to the list of characteristics on which discrimination is prohibited. As we began to do that, as I began to sort of develop a draft to add those things, it became apparent that a number of minor and stylistic changes were also appropriate as long as we were doing this. Let me just run through that. Obviously, the main substantive change that this makes is that it adds 'gender identity' to the list of bases for discrimination and harassment that are explicitly recognized as falling within the Affirmative Action Complaint Procedure. This change occurs in the introductory paragraph where it just joins the list of age, color, disability, ethnicity, sex, marital status, et cetera... Like I said, the change was suggested by Julie Knost and Doug Bauder and most other Big Ten university have already done this; have recently added 'gender identity' to their non-discrimination policies, including Illinois, Iowa, Ohio State, Michigan, Michigan State, and Penn State. Purdue's does not. They have not updated theirs. The second substantive change occurs in paragraph D1 which starts at the bottom of page 4 and runs over to the top of page 5. In that paragraph on the top of page 5, where we are making, where we are simply changing the names of administrative offices (e.g. "Chancellor" to "Provost") and things like that, it became apparent that the draft that we had, that the policy we had, was inadequate in one respect. We have a policy previously enacted that if one of the disputants in a discrimination grievance is a student that there shall be one student member on the hearing panel. However, no provision had been made for the appointment of graduate students. Only undergraduates were appointed. It was purely obviously an oversight. There was no prohibition against them. So the second substantive change in that paragraph is that we added the Dean of the University Graduate School as the administrative office to this list of administrative offices that would be responsible for sending over the names of potential graduate students to be on the list of people to serve on panels in the event that a discrimination grievance is brought that involves a graduate student. Those are the two substantive changes. In addition we are updating, as I said also mostly in that paragraph, we are updating Chancellor to Provost. Dean of Afro-American Affairs to Assistant Vice President for Academic Support and Diversity except I found out two days ago that that name has again changed, and so just a note, in the final version that will be brought, the committee considers this a friendly amendment, that in the final version that will be brought back for final vote -- where is it here? -- anyway the proper name now, after consulting with the Office of the Vice President for Diversity, Equity, and Multi-cultural affairs, the process of restructuring that office, they say, is ongoing. Therefore, rather than identify a particular associate vice president to which this would go to include the Vice President for Diversity,

Equity and Multicultural affairs, who will assure us that the request to appoint people to these hearing committees will get to the right associate vice president. So, wherever it refers to Assistant Vice President for Academic Support and Diversity, that should refer to Vice President for Diversity, Equity, and Multi-Cultural Affairs. Another minor change, there is a listing on page 3 of alternative resources to discrimination grievance. The one that we had, the existing policy, listed two incident teams. Since then, two other incident teams have been formed: the Gender Incidents Team and the Religious Bias Incidents Team. Those two are being added where the existing policy referred to the gay, lesbian, and bisexual anti-harassment team and the racial incidents team. So that is a minor change, but a substantive one, nevertheless. There are a couple of other semantic changes. The name of the policy was changed, is being changed from “Affirmative Action and Complaint Procedure Guidelines,” to “Discrimination and Harassment Complaint Procedure,” because that’s correct and “Affirmative Action” is simply wrong. So, I mean, nobody’s complaining about affirmative action they’re complaining about discrimination. So we want to make, well some people, but I mean, the purpose of this grievance process is to make it clear that this is the process for bringing a complaint about discrimination. It also specifies for Bloomington campus this policy here, as you know the Office of Affirmative Action is a university wide office. The existing policy passed by this faculty, by this Council addressed affirmative action. I mean, discrimination procedures addressed to the affirmative action office without making it clear that they were to be used for Bloomington campus disputes only because we have no jurisdiction otherwise. If the University Faculty Council wants to worry about this, they can, but that’s not my territory, though I am co-chair of that committee, I think. But there’s no reason to worry about that. So, that’s been changed. And the remaining part of it is again semantic. What happened I think with the original proposal is that the University Affirmative Action Officer had sort of existing policies, those policies were sent over, they were kind of, put into a policy for us to enact and they were done without thinking about the language. The way the language read in parts, it read as if it referred to things like the “Office of Affirmative Action’s procedures for handling guidelines are...” and “we will do this...” and “we will do this...” In other words, parts of the document spoke as if it were speaking for the office, for the Affirmative Action Office. That language has been changed to make it clear that we are speaking for the Faculty Council sending guidelines and procedures to the Affirmative Action Office. Again, the changes in that regard are substantive, I mean, are procedural and are not meant in any way to be substantive. Anyway, they, the full changes are here in the handout indicated by striking out and new things added in boldface.

HUNT: Alex, I must have zoned out when you were talking about this six or seven lines...

TANFORD: Yeah, my students do that too...

HUNT: On the bottom of page 5 and the top of page 6. Did you (inaudible) that? There’s a bunch of stuff struck out.

TANFORD: Sorry, bottom of page 4 and top of page...Oh! Bottom of page 5 and top of page 6, that paragraph was redundant. Almost identical paragraph about filing a signed, written complaint. That is under 3a, and since the procedures for filing a signed complaint and the time limit, they didn’t want it to be in there twice in case there were minor differences between them. So that paragraph was simply struck as redundant.

ENO: On that paragraph that was struck, there's a puzzling sentence at the end. I'm not quite sure what it means but doesn't seem to reappear anywhere. And that's "Full disclosure governs the proceedings of the Hearing Board." Is there a decision not to include that or was that just a casualty without the (inaudible) requirement.

TANFORD: You're referring to the "Full disclosure governs the proceedings of the Hearing board?" Well, full disclosure does not govern the proceedings of the Hearing Board; the Indiana Public Records Law governs the proceedings. So the sentence just sat there. It had no meaning. There was no definition of what that meant. Elsewhere, it is specified when you can close the hearing what documents are given to people and so I went through it and for the life of me couldn't figure out what that sentence meant either. So I struck it. Yeah?

TERRY: Alex, in addition to fixing the Vice President for Diversity, Equity, and Multi-Cultural affairs on page 5, I don't know that we have at the moment an office of Academic Support and Diversity at the top of page 3.

TANFORD: Yeah, that also.

TERRY: I hope you find out from Ed Marshall what...

TANFORD: I have been informed by the Provost that we do not, that that also...

TERRY: But there may be some office that should go in there.

TANFORD: Yes, again I will check with the vice president's office and find out what the correct language is to go there. But yes, that language will need to be changed. Paul?

EISENBERG: Yeah, Alex, you may speak in ways more relevantly than I can or Pam Freeman may do so, but in going over somewhat similar material at meetings of the Student Affairs Committee, it was pointed out by Pam that we had originally eliminated the word 'gender' and replaced it by 'gender identity.' But that appeared to be for some people very problematic and so as you can see, those of you who have the relevant document, so most people here, on page 9 of the next matter to come before us, the proposed changes in student complaint procedures, on page 9 at line 383, we have inserted both "gender" and "gender identity." That is at odds with what should be identical, whatever the final language is with what you have in the initial paragraph where 'gender' was eliminated in favor of 'sex' on the one hand and 'gender identity' on the other. I have no idea what the political ramifications of what these are, but I do know that if the language is one way in one of these documents, it certainly should be the same way in the other one.

TANFORD: Well, I can't speak to the politics of it, but I can speak to the law of it and Julie Knost and I had a long discussion. 'Sex' is the correct term, legal term, for discrimination. And where it says 'sex or gender' in here that 'or gender' should be struck in the student thing because it has legal complications. So having gone over the wording with Julie, the 'gender,' the way 'gender' was apparently intended at least in this, in the discrimination procedure guidelines,

it was intended to refer to sex discrimination because sex discrimination doesn't otherwise appear. And so you change 'gender' to 'sex' to make that clear and then include 'gender identity' which is apparently, it's not my area of specialty, but we ran it by several people including Steve Sanders and some people who are known to people in this room and who you know are first class lawyers who deal with discrimination based on sexual orientation and things like that. And I relied on them and Julie to say that 'sex or gender identity' was the right phrase.

EISENBERG: Makes sense to me, Pam do you want to talk to that? Because it's exactly the thing we came up with at the last meeting of the Student Affairs Committee.

FREEMAN: That's probably the last topic I would on which I would ever want to speak [laughter] but I can say (inaudible). I talked with Julie Knost actually about this when we were working on the language for the next topic on the agenda and at first we had taken 'gender' out and replaced it with 'gender identity,' but she said if there were newer ways that she knew of in the last five years for people to use those terms to let her office know. And I did find out from quite a few people actually since then that eliminating gender completely is going to be problematic for some members of our population. To assume that 'gender identity' is the broader term or 'sex' is the broader term doesn't fit everybody's identity. And one of the explanations for that, and in fact, ten minutes before I came into this room, I was speaking on the phone with Laura Galloway who as you know is in affirmative action with Julie Knost and Laura suggested actually that we change it still again and that we do what Michigan is doing. So if you don't like what Purdue does, maybe you would like what Michigan does. And that is, they have 'gender expression' and 'gender identity,' so it's not redundant but it clarifies that, whereas sex is used as more of a biological factor, gender is more of a construct that deals with how people are perceived and how they want to express themselves in terms of identity. And so by saying 'gender expression,' 'gender identity,' and 'sex,' everything would be covered if we want to make this an inclusive statement as I now understand it but as I said, you know, this also is not my area of expertise. But in trying to do some research and finding out what is going to meet the needs of our campus, it feels as if that might be the best of all.

TANFORD: My conversation with Julie was yesterday, and it was a short one and therefore we didn't get into the same level of detail. I suppose if this, were on for a first reading, if this is the consensus of the group, I will touch base with her again and...

PRATT: Well, and I think it's important for these two documents to be consistent. So I think if these two committees can reconcile this before the next meeting in two weeks that would be most helpful.

EISENBERG: Exactly.

TANFORD: Well, we can reconcile it by just telling Julie to give us the language that starts with 'sex' and ends with 'gender identity' and we will do whatever she says in both documents, and that may be the most sensible thing. You know, because the intent of it is clear and so the question is to make sure that it is legally correct.

PERRY: Well, I'm looking at the language on the first page. It seems to me 'sex,' 'sexual orientation,' and 'gender identity,' would be sufficient. I'm not quite sure what the 'gender...gender expression'-- whether that has any legal status or whether that's going to be clarifying or confusing simply because we've sort of invented new language. But 'sex,' is referring to sort of the biological characteristic. I assume 'sexual orientation' is referring to what an individual projects to others, and 'gender identity' is referring to how one is received by others. And to some extent I think this has a parallel and also in the disability law. But...

TANFORD: Whatever language we put in will be outmoded in six months. So, the idea is to get them the same and...

HOLZWORTH-MONROE: Just, real quickly, I don't know the legalities but the understanding you've put on sexual orientation is wrong. So in psychology which is the field I'm in, sex is the biology. It's what you're born with, it's what you can see in your DNA. It may not even match your genitals, depending on what happens to you *in utero*, but it's your biological DNA. Sexual orientation is quite different. That's who you're sexually attracted to and want to sexually partner with. So somebody of the same sex, if you're gay or a heterosexual. Gender as a broad class has to do with how you identify yourself. Do you see yourself as a male or a female despite your biology? So, some of these terms are new. Gender identity is sort of the older term which has to do with, "I may look like a female to you, but actually biologically I'm male." Sorry, it has to do with how I identify myself. 'Gender expression' is a new term I'm not as familiar with. I don't know legally, but it has more to do with do you express that. So in other words, in theory, this gets quite complicated, but I could be a biological male, that's my sex. I could identify myself as female, I could think I'm a female, believe I'm a female in my heart, feel I've always been a female, but I could choose not to express that. I could choose to continue to dress as a male, even though I identify. So I think that's the distinction we're making. Legally I don't know and I think we should go with what the legal office says but the sexual orientation is different.

TANFORD: Bob?

ENO: Anything that we use in the end should be something that we understand. This is going to be the basis for complaints and the basis for adjudication. If the term that's at the basis of the complaint is not understood even by the body that framed the regulations, we're just going to introduce problems to something that's really meaningful to people. So, if we don't quite know what 'gender expression' means, even if it's used in other documents, I'd recommend we not use it now, amend this later if we want to. I think what Amy's described is the division of those three terms sounds to me what I'm familiar with, so we probably understand that.

TANFORD: And I would note that the motivation of this came from Doug Bauder. I mean Doug Bauder was the one who said, "Add 'gender identity.'" He didn't say, "Add 'gender expression.'" He didn't say, "Add 'sex or gender.'" He just said, it has become increasingly important to some of the people that come into the GLBT office to see what they would consider an inclusive term that covers a number of things that are not covered strictly by 'sexual orientation' and 'sex' that is covered under 'gender identity.' That that was his term that would cover a variety of things not explicitly under the other. Including such old fashioned terms as

harassing because of cross dressing, people who are undergoing or considering undergoing sex change operations. I mean, you've got a variety of issues that you could subdivide them into smaller categories but to the extent that we have a common language are meant to be grouped together under 'gender identity.' But there is some feeling that this whole area of gender identity is one that is growing and expanding and our understanding of the psychology and things of gender identity is growing fairly rapidly so there are subcategories. But that's I'm perfectly happy to re-check with Doug and with Julie, but my guess is that what we have here, which is adding 'gender identity,' takes care of it, and it's an inclusive term that we understand should take care of the problem.

HANSON: Any additional discussion? Questions for Alex? Thanks. The next item is, again, a first reading of the Revision of the "Code of Student Rights, Responsibilities, and Conduct Procedures for the Bloomington Campus." Diane?

AGENDA ITEM #7 REVISION OF THE CODE OF STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT PROCEDURES FOR BLOOMINGTON CAMPUS

DALLIS: Well as you may remember, in 2005 there were significant changes, revisions to the Code of Student Rights, Responsibilities, and Conduct which separated the code from the procedures for each campus. These revisions before you today are for the most part really an intention to update the procedures for the Bloomington Campus within the context of the Code, so that they're accurate, basically. There are twenty-some changes here that Pam Freeman kindly outlined for you at the beginning of the document that really kind of explain why these changes were necessary. And so I don't have a good sense of whether or not we should go through them line by line, but my feeling is we should not. I'm happy to do that if it's preferred. Okay, so Pam worked with a committee, a revision drafting committee I think that's accurate, to identify and propose some revisions that needed to be made. Then they were brought to the Student Affairs Committee and we finalized them. There were some minimal changes that had to go forward to the UFC Student Affairs Committee for review and approval I think to the Code, but these procedures for you are the things that need to be approved and voted on by the next, the last, BFC meeting. We could vote on them today, but we have the same issue of the gender identity language that has to be reconciled. So, we may wish to wait for that. After having a chance to look at these, I'm happy to answer questions to the best of my ability about the changes if anyone has anything specific they would like to ask or ask about.

CARINI: I just have one question. It refers in several places to the "chief administrative officer of the campus." Who is that for Bloomington?

DALLIS: Well, at the time there were, it would be Provost Hanson, actually. But at the time, I think that, can you point out what lines you're talking about?

CARINI: Well, it's in the big...without my glasses I found it on 1236-37.

DALLIS: I think that this is related to the fact that at the time, we did not necessarily have...

CARINI: Oh! A structure...

DALLIS: Yes, we didn't have a structure in place. And so in fact, I guess we need to change that, because we do know what the structure is now. This is probably something...do you think that's correct, Pam and Deanna, that we need to add/strike that?

REISING: It is, it was the language that came through the last time because that would reflect whatever we were going to call it while we were in transition. I don't know, maybe, really Karen, what do you think? Do you think that that language is alright or that we should go ahead and be specific that it says the Provost?

HANSON: I think it should be specific.

DALLIS: There are other areas I think where we did actually change that out, we just missed that. Actually lines 383 and 396 are the same areas where we will need to consider 'gender,' 'gender expression,' and 'gender identity.' Whatever the appropriate language is, that's something that we can reconcile before the next meeting we hope. Lines 383 to 396 do need to be reconciled. There is also a section that we did add to clarify, let's see, there's a section on an advisor which is on line, it starts on line 466, it goes through page 11 and 12 and it's describing the role of an advisor. We actually expanded the role of the advisor to include statements at judicial conference and representation at both formal hearing and final appeal levels, provided that the advisor has had and received training on the IU Bloomington judicial process. So that's something that we did add that wasn't necessarily sort of housekeeping. Yes?

TERRY: I have a question related to that. I was on the Council the last time this went through, and there was a great deal of debate among the Council members and with the student representatives about the limited role of the advisor at that time especially the limited role if the advisor was an attorney. And indeed the language allows them to have attorneys, I'm sorry, Alex, as advisor, but doesn't allow the attorney to speak. Now this is written in such a way that the advisor can be anyone including an attorney and you have decided to allow under certain circumstances the advisors to speak, rather than just advise. Can you explain why you made that change?

DALLIS: I don't really know if I can answer this well enough for you. We wrote the language for the advisor to sort of broaden the role of the advisor. I don't think that our intention was to encourage people to have attorneys present. I mean, Pam can you help me here? I'm sorry. Because I wasn't involved with this in the early stages.

TERRY: This Council's intent before was to limit the role of attorneys. And it was very deliberate.

FREEMAN: Certainly this is completely at the initiation of students who were helping look at the code. It was a specific request from the IUSA student rights department. And also, though, the Student Advocate's office thought that it would be helpful, but not wanting it to be taken over by attorneys at the formal hearing level and turned into a legal process. And that's a big concern, I think the last time around it was coming not just from this campus, but from some

other campuses as well and then the system when this document applied to all campuses, that there was no place really in this process for it to become a legal process to invite attorneys so just only allow advisors to speak at the final (inaudible) level. But students really were asking for that to be reconsidered for our campus. So after a lot of discussion, I'll tell you the compromise position on it was to add the provision that if they spoke at the formal hearing level, and for those of you who aren't familiar with our campus judicial system, we have an informal conference level where they may not speak except to make a statement before the decision is made about the responsibility for a policy violation and another statement before sanctions are determined. But they're not allowed to represent. But then there's a formal hearing, if the student rejects that formal level it stays recorded, and it's very formal: two faculty members and a student who re-hear the case. If the student is unhappy with that they can appeal to one final step, and that's the review board level. The current procedures allow the student to have an advisor who speaks for them at that level so that's not a change. What this would do is allow them to also speak for them at the middle level, the formal hearing level, but only if they've had training in IU's judicial process. Most of the time that would be someone from the student advocate's office. It may mean someone like Professor Eisenberg who has been an advisor for numerous students who have come through the incident teams and would like to have some assistance in the judicial process. It would allow for the peer advisors through the IUSA student rights department who've had training on IU's judicial process to speak for them, but the student would still have to be present and that's clarified in there as well. It would not be without the student there.

TERRY: Can you clarify what the training of a lawyer in the student judicial process would be like and include, and how long it would take?

FREEMAN: Well, there's no provision for us to train a lawyer to do that.

TERRY: So how would a lawyer...?

FREEMAN: I haven't been envisioning that my office would train somebody or anyone would train a lawyer in the IU Campus Judicial system frankly.

TERRY: So under this language no lawyer could perform this role because there's no way for them to get the training?

FREEMAN: They probably, well, yeah. I mean, basically, they're probably not going to have lawyers speaking on behalf of the students because they are not part of the IU system and therefore would not have training. That's really compromising. And the students weren't asking, the students agreed with that, they were not asking for students to be allowed to have attorneys speaking for them at that level. But they do want an advisor to be able to speak for them. I don't know if that helps, but...

ENO: I think it's not necessarily a good idea to build a policy in a way that seems to involve for students a catch twenty-two when they reach a certain point. If there's no provision that will allow any advisor that they choose to acquire the skills necessary to do what they want the advisor to do, then it does seem as if you've created a policy that would trump their best efforts. If we want to limit who can serve as advisors, I think we should...

FREEMAN: No, the way it is now, they can have an advisor of their choice. That's not a change.

ENO: But the advisor of choice is not going to be allowed to acquire the skills to represent them in the way that is most effective to them. It seems to me that that's something that student would only encounter as, well student and advisor, as the process unfolds and the advisor attempts to get the training that will allow the advisor to participate fully and is then informed that there is no way he is going to get that training. I don't think that's a good procedure for any student to go through. If we want to limit what specific types of advisors should do, we should limit it up front. That's what we're trying to do and it should be transparent.

DALLIS: So you'd like us to edit the language to limit the...I'm sorry?

TANFORD: Give us an opportunity to vote yes or no on legal representation. I mean, for example if it is in fact the will of the majority that lawyers should be excluded because society likes to demonize lawyers, and I do it myself, then let's vote on it. But this indirect proposal where they appear to be able to get any representative they want but it turns out they can't because they're all sort of disqualified except those who are already visibly identified with the institution itself. The harm that they feel they have been done is going to be one that they will identify as people vested in the institution and if the only advisor they're allowed to have is somebody already vested in the institution, that seems hypocritical and it is going to bother students. And if we want to say, 'you may have a fellow student, someone in the student advocate's office or something, but you may not have a lawyer, you may not have your father, you may not...' I think better to specify that clearly. Yeah.

DALLIS: So more specificity is what you'd like to see in this.

TANFORD: Yeah, and just one thing other thing I would like to say, I disagree with what Pam said when she said this is not a legal process. This is very much a legal process, and the university is a state actor and has an obligation to provide a fair proceeding, which doesn't necessarily mean that they have to allow lawyers, but we do have to recognize that this is in fact at a minor level a legal proceeding, a student disciplinary proceeding.

HANSON: You've got a bunch of questions...

JARSON: I wonder if you could expand on the information students are given when they first (inaudible) regarding advisors, resources on campus. Because I know it's not just a blind process where you walk in and you're just bombarded with going with the direction of the advisors.

FREEMAN: Well, when a student is notified that a student must come to a judicial conference then they are directed to a website that has information about how to get advising help and they're told and in the code procedures it says they can have an advisor of their choice and that's what is in front of you. So they are informed at the very beginning but the question really is

right now, can they, can that advisor speak on the student's behalf before the final level. Right now they cannot.

HANSON: Brad?

WHEELER: Just as a visitor and speaking as a faculty member, I had the opportunity to experience this from the other side as being asked by a student to be advisor in one of these proceedings. And it was a very scary process and it felt enormously disproportionate in the balance of power in the room and perhaps intended, but I do think, and I encourage this body to consider all forms of fairness to balance again what is going on in that room. Particularly if it's a situation where an instructor may have also acted inappropriately but the instructor is there with a complaint also as an agent of the institution. And the student is there, and there was a huge feeling of unfairness, and I was not allowed to speak or comment while still trying to give advice. So I think this is a very important matter and while minimizing lawyers in the room and such is certainly meritorious is almost uniform—always good advice. In this particular case, the gravity of this to an individual student, they need the best advice possible in that moment. So, I encourage broad consideration of what that would be.

HANSON: Kevin?

HUNT: It looks like some text was moved and the numbering is wrong on page nine. So it goes from C then to F then to D and E and I think the problem there was just that some text was moved.

HANSON: Yeah.

MCCORMICK: I have a question on page 8, item number 7: appeals to the President or designee. As I read through the series of steps here, the Dean of Faculties makes a decision on whether the grievance is dismissed or whether it proceeds. First there's a, there is in paragraph what is now 5A on line approximately 304, there is a second reference to appeal to the President or designee within seven days and that's actually been completely struck out below. But my question is, is there an appeal process here? Has this been eliminated? Or has it been submitted in another area? And so I'm looking at beginning on lines 332 on page 8.

HANSON: If I may say so, I have a question about that section too, because it suggests a certain kind of line of appeal which probably is modeled on the idea of being a complaint against a faculty member but when it says faculty and administration, including members of the administration, not in any way normally thought of as adjudicated by the (inaudible).

MCCORMICK: My main question is; is this item 7 appeal to the President, is it simply struck? Is there no appeal beyond the Dean of Faculties decision in this or is there an appeal process?

BOBAY: In the summary document, point number 7 on page 1 it states that it's eliminated.

DALLIS: Yes, "Final decision authority stops with the Dean of Faculties."

MCCORMICK: What, I was just curious about the rationale in eliminating the opportunity for appeal beyond the Dean of Faculties.

DALLIS: Well, I believe it's in compliance with the code, but I don't, I'm afraid I'm not the best person to answer again. I'm sorry, Pam. Can you help again?

FREEMAN: Yeah, personally, I think lines 304 and 305 is missing some strike outs. That's not supposed to say (inaudible) that's supposed to be stricken as well. I'm sorry about that. That says an appeal to the President. That was supposed to be stricken. Because the point here was to eliminate that opportunity to appeal to the president of the university. In the past when that has been in there, this was a system wide procedure for all campuses. And the decision was that this is now Bloomington's process, and we had a lot of discussion about this actually. And we did have a Dean of Faculties representative there also, and the thinking was that the Dean of Faculties had a huge role trying to do informal consultation and then being the final place to appeal and it didn't make sense if the Dean of Faculties was going to be hearing appeals to also be doing the informal discussions earlier. So that part was taken out, and the Dean of Faculties was just left as the final appellate step. And the thinking was that if a student has a legitimate complaint against someone, to have so many different steps in an appeal process was going to delay unnecessarily the final decision in the case. And the group just felt that it was a mistake to do that. That there was a good reason to have an appeal opportunity, but we didn't need two appeal opportunities. And the way it was before it could be appealed, the ideal was for the supervisor to handle all of these and for all of these to be handled at a much lower level very close to where whatever the problem is occurred. But it could then be appealed to the Dean of Faculties and that should be it. There's no reason to keep going. So that was just the thinking. It could take way too long....

TANFORD: Sorry, I understand why you wouldn't take this appeal to McRobbie's office, but if these are Bloomington campus issues, why is there no role no ultimate role for the Provost's office? Otherwise you're essentially depriving the Provost of what might be an important decision for her own campus. I don't see how you can write a policy that deprives the Provost's office of some final review.

FREEMAN: There was an answer to that. That being that this would also make it more parallel (inaudible) their complaints about students. Students, student decisions, and you know with the review board. That's it. So if there's a complaint again about a faculty member it ends with the Dean of Faculties. They were just trying to make that more parallel.

HANSON: But that goes back to the other point, though, and your first section there is complaints about members of the university faculty and administration. And some of the administration are not faculty members.

FREEMAN: I know. You know, I'm just reporting what the group thought. And just trying to get the best rationale I can that somebody has to make a final decision and, you know, if it needs to go back to being one person at all these (inaudible), then that's what this Council needs to decide but the committee felt, both the drafting committee and the Student Affairs Committee

felt it made some sense to stop it sooner than at the chief (inaudible) the Dean of Faculties being the final say.

PAOLILLO: It seems highly peculiar. I've never heard of a campus judicial process of any kind that didn't somehow involve the chief academic officer of the university as that at some stage. At the final stages of the, you know, perhaps it goes on to the President after that, but at least it should involve the Provost.

DALLIS: Someone else? No one?

EISENBERG: I just want to say that but in fact I strongly support the kind of point that Karen was just making. There is something odd about the Dean of Faculties being the final court of appeals in case, which might happen, in which an administrator is being personally charged, but the administrator is not himself or herself a faculty member. If in fact it is the appropriate person to hear that matter at all, it seems also appropriate that the (inaudible) refer to whatever is (inaudible).

DALLIS: Clearly we are glad to go back and make some revisions and consider the Council's recommendations. Are there other recommendations that I should hear about any of the changes? Your concerns specifically?

PAOLILLO: What's the reasoning in changing the number of days of for formal complaints, this is lines 76 and 84 from 21 to 14 and when are those days actually counted from?

DALLIS: I think that there was a consistency attempt to have most of the days be fourteen. It was 7 or 14 days. I think the idea is that it's put to extend to put this off does not actually, to shorten the deadline was not detrimental to the process is what I understood. And I cannot answer the question as to when it starts because, again, I'm sorry I have to ask Pam to help me. I apologize to the Council.

FREEMAN: What line number?

HANSON: Now there's line 76 and 84 and on the other hand, the student is given 21 days, but the administrators are given 14 days.

FREEMAN: Okay, about line 76 and 84, again, this idea of trying to move the process along was what was behind that and it's like I said. But also there was an attempt to try to make as many of the days 14 or 10 as possible but it didn't always work throughout the whole document depending on what was actually going to have to be accomplished in that time period.

DALLIS: His question was, when does it start? When does that 14 day time period start? And that's what I couldn't answer.

MCCORMICK: In reading the document it does appear that it's upon receipt by the supervisor of the....Right. And in reading this, this indicates this has actually shortened the time frame in which the administrator must take action. So it actually doesn't shorten a complainant's

timeframe, it simply shortens the administrator's timeframe in which a response has to occur as I read it.

DALLIS: Are there concerns with the changes, the length of time for the responses? That it's too short?

PAOLILLO: I'm not sure that my concern pertains to these particular paragraphs but in terms of my experience as chair of Fairness Committee in Informatics, we have often been activated at a time which is very awkward, at the end of the term, for instance, and then we have to find student representatives which can take a great deal of time in order to locate people who are qualified to serve. We have to convene the committee when people are going on break and things like that and things can take a great deal longer than this time window that has been specified. So I'm just concerned in terms of those aspects of the process that there has to be enough room for people whose normal duties and normal activities are in other areas to be able to make a responsible response to this type of occurrence.

HANSON: Pam?

FREEMAN: Actually, the fourteen days was to try to get it resolved, but if it's not going to happen, then go ahead and then start the committee. It doesn't mean the commission has to be formed in fourteen days. That would happen only if this preliminary step did not succeed in getting the matter resolved. So there wouldn't be any process of trying to convene (inaudible) like that in that fourteen days. This is the preliminary with the potential to get this solved.

HANSON: Any additional questions or comments?

REISING: Can we clarify whether there's any disagreement from other people about comments that were made by your colleagues so that when we come back the next meeting we won't have disagreement over the changes that we're going to have? We want to make sure that if we go back and make these changes that there's a general consensus for approving those changes at all. I just want to make sure that if somebody disagreed with what was said that we can hear that too.

PRATT: Well, I think unfortunately, you'll just have to let that play out when it comes to the floor because part of the process and the rules that we follow here would allow anybody at that time to make any number of motions. But I do sense that there is broad support at least from the people who are in the room right now for the comments we've heard. But again, unfortunately, I'm afraid we're going to ask you to do a lot more work and we really can't tell you what the outcome will be when it comes to the floor for a vote.

REISING: I definitely understand that, I just wanted to make sure we could hear everything that we could hear while we could.

ANDREWS: I'd just like to make one comment about it. Limiting the number of appeals and also speeding up the process because faculty members are sometimes under tremendous stress in these situations and so I think I agree with Pam that we do really need to move them along. If they hang over a faculty member's head for months and months and months, which can occur,

and also if the thing can keep being appealed the process becomes really extremely difficult emotionally for the faculty members. And so I would urge you to try to make it as streamlined as possible so that it doesn't drag on because some of these cases have indeed dragged on for large amounts of time and I've seen faculty members under extreme duress.

DALLIS: Thank you.

HANSON: I think, unless there's any new business anyone wants to raise from the floor, we are about to adjourn. The next meeting will be our last and there will be the traditional reception afterwards at the Wells House. So I'm looking forward to inviting you to the Wells House next. Put it on your calendar and I think we adjourn a little bit early for that, right?

PRATT: That's the plan, unless like today we find ourselves mired down. Okay, thanks very much. We're adjourned.