

Minutes
Indiana University
BLOOMINGTON FACULTY COUNCIL
November 20, 2007
Indiana Memorial Union Oak Room
3:30 P.M. – 5:30 P.M.

Attendance

MEMBERS PRESENT: Moya Andrews, Jack Bielasiak, James Biles, Lisa Bingham (Initially present and then replaced by Rex Stockton), Julie Bobay, Stephen Burns, James Capshew, John Carini, James Drummond, Paul Eisenberg, Robert Eno, Harold Evans, Pat Foster, Luke Gillespie, Laura Ginger, Dennis Groth, Karen Hanson, Amy Holtzworth-Munroe, Brian Horne, Kevin Hunt, Matt Jarson, Lloyd Kolbe, David MacKay, Eric MacPhail, Terrence Mason, Bryan McCormick, Brian O'Donnell, John Paolillo, James L. Perry, Lisa M. Pratt, Jennifer Riley, Paul Rohwer, John Scott, Jeanne Sept, Alex Tanford, Herbert Terry, Neil Theobald, Susan Whiston

MEMBERS ABSENT WITH ALTERNATES PRESENT: Julian Hook (Robert Hatten), Elizabeth L. Johnson (Richard Shockley), Geoffrey W. Conrad (Sarita Soni)

MEMBERS ABSENT: Eric Arnold, Andrea Ciccarelli, Angela Courtney, Aurelian Craiutu, Diane Dallis, Joseph DeJean, Christine Farris, Owen V. Johnson, Csilla Kajtar, DeWitt Kilgore, Christina Kuzmych, Valerie Markley, Diane Reilly, Mike Robinson, Robert Shakespeare, Robert Terrill, David Waterman, James Wimbush

GUESTS: John Applegate (Office of the President) Randy Arnold, Barbara Coffman (IU Foundation), Craig Dethloff (Faculty Council Office), Bill Johnston, Mary Frances McCourt (Treasurer), Robin Murphey (Faculty Council Office), Curt Simic (IU Foundation), Scott Smart, Brad Wheeler (VPIT)

Agenda

1. Approval of Minutes
<http://www.indiana.edu/~bfc/docs/AY08/minutes/09.18.07.htm>
2. Memorial Resolution for Associate Professor Walter Blacconiere.
<http://www.indiana.edu/~bfc/docs/AY08/circulars/B12-2008.doc>
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. Sudan Divestment Resolution [SECOND READING] (30 minutes)

- a. Professor Elizabeth Johnson, co-chair Fringe Benefits Committee
 - b. Professor Rex Stockton and Professor Lisa Bingham, co-chairs Foundation Relations Committee
 - c. Mary Frances McCourt, Treasurer of Indiana University, Treasurer of the Trustees of Indiana University
- <http://www.indiana.edu/~bfc/docs/AY08/circulars/B10-2008.pdf>
<http://www.indiana.edu/~bfc/docs/AY08/circulars/HouseActOnSudan.pdf>

8. Faculty Affairs Committee: Non-Tenure Track Voting Protocols, Nomenclature and Research Appointment Overview [DISCUSSION] (20 minutes)

(Prof. Lloyd Kolbe, Prof. Kevin Hunt, Prof. Scott Smart)
<http://www.indiana.edu/~bfc/docs/AY08/circulars/B14-2008.pdf>

9. Educational Policies Committee: Classroom Usage, Credit Transfer and Priority Registration for Student Athletes. [DISCUSSION] (20 minutes)

(Professor John Carini)
<http://www.indiana.edu/~bfc/docs/AY08/circulars/CCTransferCreditPolicy-9-20-07.pdf>

10. Research Affairs Committee: Authorship Guidelines [FIRST READING] (20 minutes)

(Prof. Randy Arnold and Prof. Robert Hatten).
<http://www.indiana.edu/~bfc/docs/AY08/circulars/B13-2008a.pdf>

Minutes

AGENDA ITEM #1: APPROVAL OF MINUTES

Hanson: Thanks, We wanted to get started because we know some people have to leave a little early, in fact I think that we are not going to have a break today because so many people have commitments at the end of the day and you should also note that the agenda that's in front of you on the table is not quite the same one that was e-mailed to you. Nonetheless our session begins as it always does with the approval of the minutes of the last meeting. Does anyone want to make a motion, please?

(Groth raises hand)

Second?

(Kolbe raises hand)

Thank you. All in favor? (Aye)

AGENDA ITEM #2. MEMORIAL RESOLUTION FOR ASSOCIATE PROFESSOR WALTER BLACCONIERE

Hanson: Second we have a memorial resolution for Associate Professor Walter Blacconiere. Jeanne would you?

Sept: Professor Walter G. Blacconiere was born on October 2, 1956 in Chicago, Illinois. Walt graduated from Immaculate Conception High School, Elmhurst, Illinois in 1974. Walt attended the University of Illinois and received both his BS and MS in accounting in 1978 and 1980 respectively. Prior to beginning his doctoral studies, Walt taught at the California State University (Los Angeles and Fullerton) as a lecturer. After his work as a lecturer, he moved to the University of Washington where he received his Ph.D. in Business Administration with accounting as his major area.

After graduating from Washington, Professor Blacconiere joined the University of Southern California as an assistant professor. He served as a USC faculty member from January, 1988 until August, 1994 and won several teaching awards during his tenure. He joined the Indiana University faculty as an Assistant Professor of Accounting in September, 1994. Walt was promoted to an Associate Professor with tenure in July, 1998.

Walt's research examined the capital market effects of economic regulation in the banking and electric utilities industries, and how economic regulation influenced firms' accounting policy choices and financial disclosures. For example, Walt studied the market impact of Union Carbide's chemical leak in Bhopal India during December 1984. He found that chemical firms other than Union Carbide were negatively affected, but that those with richer environmental disclosures were less adversely impacted. He also found that environmental disclosures are value-relevant while studying the Superfund Amendments and Reauthorization Act (SARA) of 1986. In terms of explaining accounting choice, Walt showed that Savings and Loans were more likely to voluntarily adopt regulatory accounting principles depending on their ownership structure, proximity to violation of net worth requirements, and their political visibility. His most recent work showed that tax incentives were an important determinant in the decision to voluntarily expense employee stock options.

During his academic career, Walt won more than two dozen teaching awards, including the Indiana University Trustees Teaching Award, the Indiana University MBA Teaching Excellence Award, the Schuyler F. Otteson Teaching Excellence Award, the Sauvain Undergraduate Teaching Award, and the Herman B Wells Teaching Excellence Award. In addition, he was listed as one of the "Outstanding Faculty" at Indiana University in the publication *Business Week Guide to the Best Business Schools*. He made numerous presentations on teaching effectiveness at national and university conferences.

While Walt possessed natural teaching ability, he also worked hard at developing cutting edge materials and effective delivery systems. For example, during the first week of class, Walt would have all his students take off their nametags. After removal, Walt went down the rows, calling out the correct name and pronunciation of every one of his 200 students. He'd recall the names outside class as well because of his deep concern for each student. It's hard to say how many thousands of names he memorized over his twelve years at Indiana University. In addition, Walt made a real effort to recognize and utilize his students' backgrounds in class. For example,

if he knew a student had a financial background, he'd ask that student to share his or her financial experiences with the class.

Characteristically, when Walt had to announce his ailing health to his MBA class, he made the announcement with his usual grace and humor. "I've got good news and bad news. The good news is that I'll be taking a little vacation. The bad news is that I've got pancreatic cancer so I'll be spending my vacation in a hospital. But I plan to be back in the classroom within six weeks." Even given his illness, it is not surprising that Walt was eager to return to the classroom. Teaching was, after all, his passion, and this was evident not only in how he prepared for class and made each class a memorable experience but how he spoke about, cared for, and enjoyed his students.

Walt's greatest source of joy and pride was his family. Walt reveled in his children's accomplishments and relished the time that he spent with them. He served as their bedrock, prodding them to improve their lives and the lives of others. Walt's office door on the Bloomington campus was filled with newspaper pictures of his family detailing their accomplishments. Words cannot begin to describe how Walt felt about the love of his life, Michelle. She was his anchor, filled his heart, and nourished his soul.

Walt is sorely missed by his family, colleagues, and friends. Walt's office door was always open and he loved conversation both personal and intellectual. Walt Blacconiere truly was a special person. Warm, generous, and thoughtful are all words that aptly describe Walt. With his long, curly black locks, wry smile, and engaging personality, Walt was the essence of charisma. He had boundless energy and a great sense of humor, always in motion and always willing to share a good laugh. He was an amazing teacher, an extraordinary mentor, a prolific researcher, a devoted family man, and a genuine human being. Walt is sorely missed by his family, colleagues and friends.

Hanson: Could we have a moment of standing and a moment of silence? Thank you. On to Agenda Committee business, Lisa?

AGENDA ITEM#3 AGENDA COMMITTEE BUSINESS

Pratt: Alright I have a number of updates for you, some that will sound very similar to the ones at the last BFC meeting but because these are evolving matters I'm going to just say again where we are with them. Intellectual Property Policy, you remember I told you that there is an implementation working group, composed of representatives from the administration and from the faculty, that is trying to consolidate and condense the document. That group, which is composed of John Applegate, Dottie Frapwell, Dennis Gannon, Randy Arnold and Simon Atkinson, are apparently very close to having a consensus draft and that consensus draft will then be passed on by the UFC and the IFC to independent readers; depending on their recommendation we will either accept it as friendly to the policy that was passed here or requiring item by item reconsideration by the two councils. The two independent readers, thank you both for volunteering, were or will be Bryan McCormick and Dennis Groth if the two of you are still willing to do that. Indianapolis has not yet identified the readers from their campus. On

the Family Leave Policy we've had considerable action since the last BFC meeting, we now have a consensus draft from again an implementation working group that was composed of the IFC and BFC's Fringe Benefits co-Chairs working directly with Julie Knost. They now have a consensus document and that document has now been sent on to the higher administration for consideration and for a financial assessment. Neil do you have anything to say about that?

Theobald: No, I just got it yesterday.

Pratt: Alright fine. So that has been referred to him for consideration and we now wait to hear what they have to say, and if necessary, we'll ask Fringe Benefits to react to their financial assessment and tell us whether or not we're ready to, well actually, it's sort of out of our court, but whether or not we want to express another opinion at that time. Just the highlights of that, the new consensus policy includes twelve weeks at full pay. We were previously at fifteen weeks at partial pay. It allows for two benefit periods out of every five years and the covered family members have expanded somewhat. They are now spouse, domestic partner, parent, dependent child or and including dependent child or parent of the appointee's spouse or domestic partner. So it's quite broadly inclusive language and again we look forward to Neil's assessment of the potential financial impact and then we'll decide how to move forward. Let me see, there is an increasing amount of e-mail and voicemail to myself and to members of the Agenda Com about the negotiations with Anthem. There is some real angst that we seem to go through this cycle every year. Coincidentally with our making decisions during open enrollment and although there are many arguments about why that happens from the annual business cycle, I think a lot of faculty simply feel that it adds a great deal of stress to what is already a very difficult decision, that all of us spend a lot of time trying to understand what our health benefits are and trying to decide whether or not we need to take action during open enrollment, and it does not help when you see these stories in the newspaper about who's withdrawing from the network just when you're trying to decide do you want to be in the network or out of the network or what are you going to do. So we're really watching this quite closely. We're listening to individuals who are talking to us, and we are again asking Fringe Benefits to also watch the situation very closely, and we're anticipating and we've let Dan Rives know that we're concerned about this and we've asked him to be willing to make a visit and answer questions directly from the BFC either in December or January probably regardless of whether or not there's a resolution of the current situation. Again we would like to find a way to get this cycle so that it's, so the decision is completed before we enter into that open enrollment period and try to figure out what the right decision is for us individually and collectively. So again we expect Dan Rives to be here and present to respond to questions sometime in the near future. He, in fact, did that a week or ten days ago for the professional staff council so I think it's appropriate also to ask him to meet with us. Barb Bichelmeyer and Russ Hanson have told me that they are now ready to update us about the progress on Gen Ed and that's of course something that many of us have been interested in and we've tried to let them go and let them work on their own without a lot of interference from the BFC and we're quite eager to hear what they have to say so as soon as I meet with them, (and my meeting with them is scheduled the first week of December,) then I'll update the Agenda Committee and we'll decide whether or not it's something that we can just do in the President's Report or if we want to have Russ and Barb actually here in person to respond to the group as a whole. We're also hearing an increasing number of comments about the switchover to e-mail services for users of Outlook and Outlook Express and we're just, again it's a situation we're

trying to keep an eye on, Herb Terry on the Agenda Com has been particularly interested in this topic because he's one of the people who had an unexpectedly serious number of problems related to that switchover, and I think I'll just ask you to talk to Herb individually, if you can wave a little, in case anybody doesn't know which member of the Agenda Com he is. He is not the only one who has reported problems, and in fact what we would like to do right now is just have, for those of you, first of all, how many people in the room are involved in the switchover and are Outlook users? Yeah, web-users for your e-mail accounts, okay. And of those of you who just had your hands up, could you raise your hand again if you feel that you have had a moderate to serious problem with the switchover meaning things like loss of functionality, botched deliveries, loss of contact lists or anything else that was, you felt, a moderate to serious disruption of your work? Okay, I'm going to informally estimate that as about a quarter to a third of the hands. Let's again, I think we need to, we're going to formally try to enter into a discussion, yes?

Unknown Male Speaker: I just want you to know that some people who don't use Outlook suffered.

Pratt: Thank you, that's right your servers were shifted to, I have not heard some...

Unknown Male Speaker: I'm not on the Outlook server, I don't use Outlook clients.

Pratt: So, wonderful. So we will now, we will report that informal show of hands. I think it is enough that clearly like the problems with Oncourse, we want to make sure that the IT people are aware that when these...I mean we all understand that the software and the programs change. Brad, do you want to say anything as long as you're sitting right here in the room? I don't mean to pretend that you're not here. Would you like to speak to this?

Wheeler: No, just one point of clarification just in the conversation and this gentleman speaks to it here. The changes that have been going on have been server-side and will be able to hold larger quotas and the update of, many of you moved to __ 07 on your desktop, this is moving the Exchange environment to Microsoft's next generation. It does a number of things that we value. So just for correcting the record, folks who are using Outlook or you may be using a different client, you might use Eudora or something like that, that's not where your question was being raised here. The question that's being raised is the transition that's going on is on the Exchange side, which would be independent of whatever client you use to talk to it and so if there are technical matters or we are having some problem, I just got migrated myself last week, and I happened to notice this morning as far as I know everything went okay. That it is Exchange just for the record of conversation. I'm not aware that folks are having a particular problem with their Outlook client on their desktop, because that would be two different things that we're trying to diagnose if that were the issue. But I'm happy to work directly with Herb or others...

Pratt: Well, and Dennis is certainly a key person in this and I think you've been copied on the e-mail from Herb, is that right?

Groth: I don't believe I was.

Pratt: Alright, alright, we need to get you in the loop. So...

Wheeler: And we would also have record in monitoring the number of calls or concerns that come in, I do encourage you if you do notice any abnormality in your data or something after your move. People are being moved in phases, this is something they can't do at once just for the volume. Please do contact the support center and they'll track it down immediately.

Hunt: I just wanted to make a specific complaint about the new services; this is just a very general complaint. I have two things that I find inconvenient; one is that I can no longer look at my calendar other than on the day that I'm on, so I can't look at it by week or month and I called the help line a couple of times and talked to two different people and they say 'We can't help you.' And the other thing is I find it inconvenient that once you have saved an e-mail message and the names go, so for instance if you type in the e-mail address on your own and then save it, then it gives the person's name and after it says remove, you can add another name to that by typing. You can't click on the box and add another name...

Wheeler: Let me follow up with you offline, if I have specific ___ what the issues are, but both of those do not sound like that should be what you are experiencing so let's see...

Hunt: Yeah and that happened the day after I was migrated.

Pratt: Another question, let's move on.

Unknown Female Speaker: Yeah, I mean my general comment was after I had problems and was on the phone with support center twice I ended up having to solve it by myself, but they didn't call me back. (Laughter) I learned by ___ two days later to ask if they got solved.

Terry: Today I had a consultant from CETO, the College's office, in my office for a hundred and ten minutes and he, we're working about 85% as well as it worked before. He has to get back to UITS and some other things for other problems.

Pratt: Okay, well let's just say that is clearly a sense that there are problems that are kind of rippling through the system and let's, Herb if you'll act on behalf of Agenda Com, to keep us informed and Dennis, we'll try to make sure anything that we hear and also, Brad I may ask you to give us an update at the next meeting about what your sense was of the kinds of problems and how they got resolved. And I think that, thank you that is my last thing from the Agenda Committee.

AGENDA ITEM#4 PRESIDING OFFICER'S BUSINESS

Hanson: There are a few things that, a few academic initiatives, that I would like us to talk about, but probably next time, because this is a sort of diminished group here. It's smaller than usual and we have some problems that we want to take up before some people have to leave. But let me just thank Jeanne Sept and Terry Mason and all of the folks from Jeanne's office who were particularly instrumental in the reaccreditation effort. They came to talk with you about this before the visitors came. The visitors have come and gone, and they did a superb job of

handling a very difficult process, so for those of you who were also involved in helping support that effort, I want to thank you but let's actually could we give a little round of applause for all they did? (Applause). You will have next time a report on that calendar matter that you mandated a report on before the end of this term. I've been in touch with the committee that's working on that and they said that they'd get back to us. I don't know that it will dispose of things for you, however. And you should also know that, there's just one other thing I want to mention, because it's timely. The request for qualifications of master planners has gone out and the university will be getting those statements of interest in being the master planner back from these various firms shortly. That process is rolling along in tandem; remember there is a campus space needs assessment group that has been formed. Again if anybody here is interested or if you have colleagues who are interested or you know students who are interested, staff members who are interested, please send their names, the committee keeps growing larger and larger. What we will have are a number of subcommittees actually. It's better to think of it as a task force focusing on a variety of things connected with faculty life, student life, health and wellness, performance, exhibition, library spaces. Things will be grouped according to, you know, functional differences, but if you or anyone you know is interested in participating in any way, please ask them to join this group. I think, I again I think I'll save some other things for next time, but any questions? No questions came to me antecedently. Yes?

AGENDA ITEM#5: QUESTION/COMMENT PERIOD

PERRY: Can you tell us what the status is for putting together this working group for the Campus Diversity Plan which was under a very short time frame.

HANSON: There's a meeting in Kokomo on November 30th to discuss draft reports for each campus. It's an all university meeting. We have a delegation going and that delegation includes faculty, administrators, staff, and students. And they will be going with a draft plan which was culled from earlier materials and when they come back from discussing it, that meeting was called by Vice President Marshall, and when they return, having worked on that draft at the November 30th meeting, the draft will be disseminated to larger groups so various constituencies can look at it. And we hope to move along with the plan, probably not, the deadline is not exactly December 30th. This will be a work in progress for quite some time really and that's the way Vice President Marshall understands it as well. Other questions?

AGENDA ITEM#6: SUDAN DIVESTMENT

Hanson: Okay, agenda item #6; the Sudan Divestment Resolution. I think Lisa wanted to...

Pratt: I'm actually going to open this topic because we've actually had a great deal of discussion and commentary in the two weeks since the first reading. Probably the most important outcome of those discussions was the recognition that the resolution as brought to you two weeks ago referred to divestment for both Indiana University funds and for Indiana Foundation funds. In discussions that occurred over the phone and by email with Lisa Bingham and Rex Stockton, if

the two of you will, so everybody knows who we're talking about. They are the co-chairs of the Foundation Relations Committee and in conversations between them and in conversations with Curt, Curt if you would wave—Curt Simic from the Foundation, it became clear that we probably needed to independently consider the resolution in terms of Indiana University and the Foundation simply because Foundation Relations had not had time to have a full and deep conversation with Curt and his staff about divestment. And given that the foundation's situation is somewhat different from the university because of their relations with the alums and the very large number of alums, we are going to recommend from Agenda Committee, as a friendly amendment, that the discussion today deal only with the resolution for divestment of Indiana University funds and Mary Frances will speak to that in just a minute. Neil is also here and I just simply—we're going to ask for two things, we're going to ask Elizabeth as the representative of Fringe Benefits, who brought this resolution forward, if splitting it now into two separate resolutions is deemed to be a friendly amendment, and then I'm going to ask Lisa to comment briefly and Curt if you want to comment on the rationale for handling the foundation resolution as a separate matter. We will expect that separate resolution to come forward probably in January. In other words, this is not going to be delayed for very long but I think it's appropriate to give them a little time because that conversation does need to proceed in a somewhat different way.

So Elizabeth, I guess we turn to you next as the representative to decide whether or not this is a friendly amendment.

Johnson: Yes, it's a friendly amendment. I'm especially glad that you mentioned a time frame for considering the Foundation.

Pratt: Lisa and Rex would you like to speak on this?

Bingham: Yes. I apologize that I will have to leave the meeting right after I finish speaking; however, to catch a plane and I have designated Rex Stockton officially as my replacement with voting authority for the rest of the meeting. We all share a sense of horror and outrage at the genocide in Darfur. The IU Foundation and Indiana University, however, are very different institutions and they are independent. One is a public entity and the Indiana University Foundation is a private non-profit entity. So they have entirely different legal frameworks, rules on accountability and transparency, and therefore the way that this issue may be addressed at the foundation may differ somewhat from the way that it would be addressed at the university. This difference works for our advantage in terms of the flexibility with the foundation to respond to our needs and assist us and it does an excellent job for which we are all I'm sure deeply grateful. It is the margin of excellence. The committee welcomes the opportunity to work on this collaboratively with the Foundation and I'll leave it to Curt to address this in more detail but I understand that what we may come forward with may involve a broader set of initiatives, including some education initiatives and we would expect to report on our progress in January.

Pratt: I guess we turn to Mary Frances and then we'll open it up for discussion.

Hanson: Thanks.

McCourt: Thank you for having me today. I just want to clear up one small point. Although we are separate entities, we do work very much in tandem and the IU Foundation does invest roughly about \$156 million for Indiana University right now. They invest our endowment money. So what we do will have impact on both organizations.

I agree with you, the situation in Sudan is atrocious. If I knew directly how to impact that situation I'd be the first one up here pounding the table and screaming to talk to anyone who would listen to me. I think we all feel very frustrated that we can't find an effective solution to this problem. That being said, I'm not supportive of the resolution on the table today. I think the resolution would make us all feel good. I think it would make us feel like we're combating this barbarity that's happening over in Sudan but I don't think we'd making an accurate statement and that's what's really bothering me.

Many states and universities have made public statements. But when you look under the covers of those statements, most of them are very, very narrow. They may target specific assets, they may target specific funds, specific companies, but they're not broad. For instance, the state of Indiana, they passed a resolution regarding pension funds, retirement assets, not all state assets.

I'm sitting here today, I wanted to talk to you just about a few things that are under the covers of this one. I wanted to talk to you about selling stock. When you sell stock, you're selling assets from one party to another. You're not impacting the company, you're just changing hands of the stock. The money that went to the company happened when that stock was floated. There is no flow of funds. You can't sell stock unless somebody is willing to buy it. So we could say we're going to divest but somebody's got to be on the other side of the table. There have been studies that suggest that when this happens in force, the stock price may be lower in the short term. I have been reading anything I can get my hands on relative to Sudan divestment and I found one case where that's happened and it was a Canadian company called Talisman Energy. I've talked to a few people that aren't in the room today but we've had some great conversations over the week as to how this has transpired. We've talked about history and the Holocaust and what would have happened had we have done something back then. But I think looking back 40 years ago, it's tough. The world was very different back then. It was black and white. Today the world is flat. Lines are blurred. It's very, very hard today to make a definitive statement. Stock ownership gives you something in a company. It gives you a voice. When you sell stock, you lose your voice. Maintaining ownership maintains that voice. When you sell stock, you don't pick the buyer. We could be selling it into the hands of somebody whose intentions are counterintuitive.

I also find it interesting, in all the reading I've done, it talks about divestment. I haven't personally read it and maybe it's out there, I've tried to find anything that talked about the prohibition of purchases from these companies. When you purchase goods and services from these companies, you are directly giving them cash flow. Something very different, as far as I know, that practice is continuing. I'm not sitting here saying I'm an expert on Sudan. I wouldn't begin to purport that. I'm not saying I'm an expert on divestiture. I don't believe I have the answers. But rather than pass a resolution today that has a lot of unanswered questions around it, I'd rather spend the brainpower of the university and do some of the things that were just suggested. You know, put the brain trust together to come up with something proactive, develop

some educational forum for us to think through these issues. I feel that this resolution has the potential to bring more harm to this university than good to the Sudan. I'm passionate about our university's mission. We've made great strides in bringing forth many programs with national and international acclaim. At the same time, we've maintained accessibility. The opportunity costs of limiting our investments coupled with the increased monitoring costs will impair us over time. Some of our peers who have done this have suffered that. They've had managers drop them and they've also opened the doors wide open for many interest groups. And that troubles me as well because where do we draw the line? This is horrific, this situation. To the next person at the table, there's a situation that might be, you know, near that level and how do we say no to that? How do we draw the line? Who is to value what issue is more important than the one next to it? There's global warming, abortion, tobacco, I mean the list goes on and on. And then how do we decide when it's time to reinvest? Who will be charged with monitoring our actions? And then are we willing to live with the implications in the end? For me, sitting here today, there's too many unanswered questions to pass this resolution today. And I really feel that it would be hollow. I think people who have done it, it has felt good. But you've got to read the fine print to see, 'Okay, what was the action that was done?' So, I'm willing to answer any questions. I may not have the answers today, I'm willing to get back to you, but those are my thoughts. Thank you.

Hanson: Thanks Mary Frances. Any questions for Mary Frances, Herb?

Terry: If we went down your path and tried to exercise, retain ownership and exercise our voice, do we have enough voice to have an impact on any of these enterprises?

McCourt: Well, and I'm not even saying we have any of these assets.

Terry: If we did I mean...

McCourt: You know, and I guess I'm going to play the flip side for a minute as well. If you read, I've looked at every institution that has put something into play and if you go back several years, let's say you go back five years and everything that's been on the table. I guess my question to you is what's been the impact of that? You know they're...

Terry: I don't know if that's related to the question I asked. The question I asked is you proposed a course of action to us. I will ask you what your basis (tape side ends – comments lost)

McCourt: ...we're giving it to someone whose intentions may be different.

Terry: But basically because you haven't really a concrete idea of who the scrutinized companies might be in this, and how they relate to our holdings. You didn't tell us specifically...

McCourt: I have an idea. I know the list. And that's another gray area, the list. You know, you find the list and then you search and search and then you find another list and they change! And

so, but I don't, I almost want to make that point saying as a university we may not hold one of the assets and I still feel that strongly about it because I think it's hollow.

Hanson: Yes?

Unknown Male Speaker: Do we receive dividends from these companies as an institutional investor?

McCourt: Well, Indiana University cannot invest in stock, we can't invest in equities. We could have bonds. So we would have interest, but we don't have dividends...

Unknown Male Speaker: I see.

McCourt: ...you know, from any company.

Unknown Male Speaker: So in that sense we're not profiting from this situation.

McCourt: We are not directly profiting today from this situation, no.

Hanson: Kevin?

Hunt: When you say Indiana University doesn't have any...

McCourt: But I didn't say, I said if we held these companies.

Paolillo: So you don't know.

McCourt: We don't. Indiana University does not, on the list.

Bielasiak: Because we are not buying into these companies?

McCourt: No.

Unknown Male Speaker: That's not what I heard.

Hunt: You said that Indiana University doesn't own any stocks?

McCourt: We're not allowed. No, we are not allowed to own stock by the Indiana constitution.

Hunt: So we own stock funds?

McCourt: No we don't own stock funds. We own bonds.

Hunt: So you don't mean the foundation, you just mean the university.

McCourt: Yeah, no we've decoupled this now and it's the university.

Hunt: Okay.

Hanson: Other questions from members?

Bielasiak: I want to oppose this amendment. And I speak not about the technicalities of the financial issues, but I do speak about the substance of the issue in Darfur. And I speak as a person who has been teaching about genocide for thirty years and has been very much involved in Save Darfur and other issues. And I sense here a kind of a, to protect our investments and to make it easier for us we need to be careful. Well, maybe we need to be careful because people are dying. And I think it is time to go beyond business as usual. And the argument that I'm hearing is business as usual. Time, what's a week. Well, every week matters! Every month matters. But I also speak from a personal reason. If people in Germany had not conducted business as usual, my parents would not have been sent to Auschwitz. I think it's time that we stop this and that we indeed pass a resolution that at least symbolically, perhaps it is only symbolically, but I think it is important to go on the record that Indiana University is going to withdraw whatever funds or connections it has with financial institutions that are involved in the Sudan.

McCormick: I did a very quick read of the Indiana Act number 1067. As I read it though, it appears that it's important to do exactly what you're advocating. It's not saying divest. It's not saying go in and completely divest. It's, as I understand it and I may be incorrect, it's saying to identify companies, scrutinize businesses, and making them aware of the intention to divest unless they change practices. Now I guess I'm not following how that's any different...

McCourt: Unless they, well, unless they change practices so you're going to jump to the conclusion that they're going to change practices. But the word "divest" is the word. So that we divest, we sell the stock, my question is what did you gain?

McCormick: Well, as I see it you stop dealing with a company that won't, that has no interest in doing what you say because this isn't, as I read it, it's not simply saying to identify and divest. It's, and I read this quickly, it said those companies are contacted with the intent to divest if they continue to engage in these scrutinized practices.

McCourt: Right, and then if they continue, I think the divestment was down the line.

McCormick: But I'm not seeing how this is any different than what you're suggesting, that we talk about not buying from them. Or, you know, I mean I'm just not seeing how this is different from what you're proposing as an alternative.

McCourt: I didn't even propose an alternative, but my alternative was to that I just said I didn't support the resolution. But divesting, by selling that stock, what you did is gave it to somebody else...

McCormick: Yes.

McCourt: ...sold it to somebody else.

McCormick: But if the company won't change practices, what do we stop dealing with them then? Because they'll just sell it to somebody else, too. I mean, if, if, if, and you....

McCourt: Well no, not necessarily, it's different. It's different when you're selling goods and services. In the stock market, you have to have a buyer to sell. To sell your goods, no you, it is different. It's different.

McCormick: The only thing that I'm suggesting is that while you might not have made an alternate proposal, I swore I heard something along those lines that was: we put our energies into identifying other ways to change the behavior of these companies that are benefitting from it or contributing to the genocide in Darfur. But, that's the way I read this house act as well. As doing the same sort of thing. I understand the difference you're making between divesting money in stocks meaning that somebody else has to buy those stocks for us to sell them, but at the same time if they're not willing to listen to us to begin with, what difference does it make what we do?

McCourt: And you know, you're bringing up another very good point. Interpretation is another very gray area. You could probably give this to ten different people and their interpretation would be, just a little bit you know, some might be a little bit different, some might be very different. And then, whose interpretation wins there? I don't know. I don't know.

Biles: You appear to be conflating two separate issues in your opposition. The technical, managerial oversight and potential cost of divestment and your opposition to it as a hollow move. I'd like you to tease those two apart and to explain to us which is the greater concern that you have. I think they're two very separate concerns and I...

McCourt: They are separate concerns. I don't know if I could weigh them as being greater. You know, as a person, I don't want to make a statement just to make a statement because people will think that that's an accurate statement and we're doing something. If I'm going to make a statement, I want to know that that statement has meaning and it's going to do something. I don't think this statement is that and I think that when you read other universities' statements, if you read the headline, you think they're doing something. And then you really read, oh they took their money out of one company or they sent letters of encouragement, but what did they really do?

Biles: Well that happens to be your personal opinion. I think what you can speak to as treasurer are the potential costs and technical difficulties of divestment. I think we each have our own opinion around this table here and I think by conflating the two issues you're trying to justify a decision on one grounds...anyway, I'll stop here.

McCourt: No that's fine. That's fine. And I'm only here to state my opinion. But I'm also here to explain the, you know, to explain the mechanics does have some value. Because people may think because you sell stock you're pulling money out, and you're not.

Hanson: Elizabeth, do you want to, I mean this should be a broad general discussion. Do you want to say anything to clarify the resolution itself before we call on anybody else?

Johnson: I don't think the resolution needs particularly to be clarified. It was purposely stated essentially as we thought we should which was to try to refer to what the state of Indiana has already done. And I think, I'm sorry that Steve is not here, he certainly could speak with more passion than I can in answering some of these, ok good. Ok good. The issues of the details of which list or whatever like that. I think in our committee we certainly thought that that really isn't so much the issue as you choose one and you do it and you show that you have done it according to these principles. And that's what concerned the committee more when that issue was raised.

Hanson: Professor Scott?

Scott: Just a financial clarification, you stated that Indiana University can only invest in bonds and not stocks, but then you talked about the nature of stocks being selling to other stockholders. Can you clarify that because I think the nature of bonds is maybe different than that.

McCourt: Right. And I, you can sell a bond, I can sell the bond. We don't have ownership. I'm just, I'm talking at a higher level when you're talking about divestment, you know, to rid yourselves of these stocks. On the bond market, I can sell the bonds, if the company chooses depending on how it's structured they could buy back the bond, the bond matures. But in the bond market as well, when I sell a bond let's say we're Indiana University we sell a bond, we get the money when we sell the bond. If it's sold on a secondary market as well, it's sold on a secondary market, but at the initial market, I sell a bond, somebody buys it from me. I get the money.

Scott: But in the case of divesting it's not the company itself that has to buy the bond back?

McCourt: No. No.

Scott: Okay, that's a clarification. Thanks.

Hanson: Bob?

Eno: I think that there's a confusion of motivations about this resolution. I took it to be a resolution that is based on ethical motivation, that we feel, that those who sponsor this resolution feel, that Indiana University should not be associated with those who are invested in or doing business with Sudan in Darfur. It struck me when I first encountered it as a negative type of approach in the sense that what we're trying to do is ensure that we're not entangled in ethical issues where we feel we don't want to have an association. That sort of ethical basis is entirely different from the ethical basis which talks about whether or not we want to have a direct effect, which is, what are the unintended consequences? What are the intended consequences? They may not be very meaningful. What are the financial implications? On the basis of what I took to be the moral force of this resolution, I feel the purpose of it is exemplary for the university community. I think many in the university community feel concerned that IU may have an

association with entities that are profiting from what's going on in Darfur and the Sudan. And that they want to make sure that we don't have that. And I think on that basis, this is a good resolution. If this were the type of policy where we were intending to have specific consequences with specific results, and that was where our intention was, I would think this was a futile gesture and hollow. But I don't think that's the intention of the resolution so I don't think that it's hollow. I think that the types of issues that Jack has made is the basis where the resolution comes from and the types of arguments that you make which certainly have great validity, don't actually respond to that type of ethical motivation. So on the basis of how I understand the resolution I would vote in favor of it, despite the types of very cogent statements that you've made to the contrary.

Hanson: Yes, behind you Bob.

Unknown Male Speaker: Yes, I just want to say that many of the arguments that you can use which are logically consistent are true of anything where you're acting locally. My turning off the lights doesn't help greenhouse gases but if everybody weighs in on these kinds of issues and this is not just a local effort it's a nationwide international effort, then we become part of it. And in that sense I think there is proven impact when states move to the pariah state level. So I'm in support of it.

Hanson: Matt?

Jarson: I think this resolution is a great first step. And along those lines, I have two questions. One just general, and one directly to Mary Frances. You mentioned ceasing purchasing of goods and services from some of these companies. What would it take to actually accomplish that? I know you said that we have that list, but what would be the logistics of that? And then to the group, I can't remember if we mentioned looking at genocide as an issue in itself, not just Sudan. And actually expanding so that we have some policy stating that we either don't do business with firms operating in regions where genocide is ongoing where they might be profiting from such activities.

McCourt: You want me to address the first question. And I'm probably not the person, I don't want to put too much on the table there, because that's not my role. I think that would be a role for Michael McRobbie.

Hanson: Yes?

Bill Johnson: I'd just like to say a couple of things. First of all, divesting does work. It gets the attention of the Sudanese government and of the companies involved and there are documented cases where the Sudanese government for example has responded to divestment by American universities. Second, the way that divestment, I'm here by the way. My name is Bill Johnson, I'm from comparative literature I'm kind of representing Steve Weitzman I guess. The way that divestment will usually work is that the companies that are being targeted are companies that have been identified as having interests which support the Sudanese government. This has been brought to their attention and they have refused to respond. And so it's only those companies that the divestment usually affects. Thirdly I want to respond directly to the speaker's comment

earlier on about the good of Indiana University and I really want to repeat what Bob Eno said that this is a very important public gesture on the part of Indiana University. This is a university which prides itself on its internationalism. The case of Sudan is a prime case of globalization and the involvement of an institution like Indiana University in affairs around the world and I believe it is very important for this university to follow suit, not just fellow universities like Harvard and the University of California, Amherst and so on, but also the state of Indiana and Bloomington in making this public gesture that we refuse to be associated with what the Sudanese government is doing in Darfur.

Hanson: Yes?

Tanford: While I also agree that I think the intent of this resolution generally understood is that it is a moral issue. The problem is that it is a moral issue with real potential consequences. And so there are lots of different ways one can phrase a resolution that satisfies the moral stance side and I'm not sure given all these discussions that we have phrased this particular one in the way that makes the maximum moral statements with the minimal practical consequences. That being said, I have a question for the committee, I think, which is did you in the process of this, contact the whatever state agency or state officials are responsible for putting the state pension fund law into effect to determine what kinds of practical consequences it had had in trying to actually execute...

Johnson: The committee did not. I don't know if Steve had. I don't know if you know if Steve has been in contact with them or not. The information about the action of the state bill and how it was going on, came out about the same time in the local paper as the committee was considering putting forward this resolution. So no, the committee has not contacted the state.

McCourt: I think it's almost too soon. I mean, they have, they published some updates as to where they stand and they've contacted a few companies but the time frame is just too soon to...yeah?

Terry: Mary, are you saying that they didn't comply with section 31? It says on or before November 1 of 2007 and then there's a very detailed report that they must make by November 1st...

McCourt: Yeah, I have a copy of that...

Terry: ...are you suggesting they didn't do that?

McCourt: No, no, no. I have a copy of what they've done. But as far as the outs, what they've done and I have a copy of what you're looking at too. They had to take certain actions by certain dates, but measuring the outcome of those actions is what I'm saying it's almost too soon. You know, measuring an outcome of contacting a company, they can say, 'we've contacted these companies.'

Hanson: Yeah?

Hunt: I want to ask Elizabeth a question concerning what Mary Frances said about the hollowness of the resolution. Did you consider a clause in the resolution that required that Indiana University ceased doing business with any companies that not just divest but cease doing business with any companies that have a relationship with the Sudan?

Johnson: No, the committee did not consider that.

Hanson: We are reaching the end of the period allotted for discussion of this. Is there anything else anyone else wants to add?

Eno: I have a question. Are we voting on this resolution or on the resolution as amended, eliminating the foundation references?

Pratt: We are voting on the friendly amendment, simply remove the foundation.

Hunt: I want to offer an amendment. And here's the amendment. "Be it further resolved that Indiana University establish a list of companies invested in or doing business in Sudan and that Indiana University cease any business relationship with such companies."

Unknown Male Speaker: Second.

Hanson: The motion is made and seconded. Any discussion? Bob?

Eno: On first hearing it I'm concerned whether we have the resources to make such a list, evaluate the list and determine what we mean by 'doing any business with Sudan.'

Hunt: If you go look on the web, I can send you a PDF of this, but there have been a number of institutions and some of them were mentioned, I think Amherst was one. Duke has a list. The state of New Jersey has a list, and so there are a number of such lists. So we wouldn't be striking out on our own and I've actually e-mailed this list to Provost Hanson so there are lists and as far as I'm concerned we could take every company that's on any of the lists and, you said, it would be a very quick and dirty way to accomplish it.

Hanson: Brad?

Wheeler: I have no idea the list of companies that that would generate but it would probably be a long list. I'm just mindful if by random chance if someone found that IBM was on that list what that action would be and what the immediacy of it would be. Should we turn off all the research computers tomorrow and put our NIH grants at risk if we found that Nortel does some business in the Sudan (and I have no idea whether they do or not)? Should I turn off the telephone switch to both of the campuses I mean there may need to be some period of reasonable assessment to, if we, if you said tomorrow, I'm making this up, 'Nortel does business in the Sudan. We don't want to do business with Nortel anymore.' I assure you it will take me some time to unplug the fifth largest telephone switch in the state of Indiana and migrate it to another. So we need to understand what that action would ___ if we find this list and we do find some of those companies.

Hunt: I don't think we'd have to shut down our equipment that we've already bought, but buying further equipment...

Wheeler: Yeah but we have ongoing maintenance contracts going on with them every month.

Hunt: ...but IBM isn't on the list.

Hanson: Yes.

Bill Johnson: Just a point of fact, the divestment affects only those companies which are directly helping the Sudanese government continue their actions in Darfur. There are companies actually operating in Sudan who are not participating in what they're doing for neutral or good things so I think it's important for it to be indicated somewhere this divestment is not for any company associated with Sudan but only those that are supporting the Sudanese government.

Hanson: We have an amendment that has been seconded which it must be voted on before we vote on the resolution. Are you prepared to vote on that now?

Horne: I'm sorry could we restate the amendment please?

Hanson: Kevin?

Hunt: Do I have to offer an amendment to my own amendment? "Be it further resolved that Indiana University establish a list of companies supporting the Sudanese government and that Indiana University cease business relationships with such companies." So I've incorporated your text and maybe that will accommodate Brad's...

Eno: Maybe add the phrase "as feasible."

Eisenberg: If someone would like to make the motion to table that and refer it to committee?

Pratt: To table the amendment?

Eisenberg: To table the amendment.

Tanford: They can't.

Eisenberg: They can't, okay sorry. (Laughter)

Tanford: That would have the effect of tabling the underlying motion because the underlying motion cannot be voted on until the amendment is thrown back.

Pratt: So we need to vote the amendment, right?

Kolbe: Could I just ask some clarification of Kevin's going to add that last phrase of that that's an amendment to?

Hunt: I'm looking for expressions of support from...

Hanson: What was the amendment you originally made?

Hunt: The amendment I originally made: "Be it further resolved that Indiana University establish a list of companies doing significant business in Sudan and that Indiana University cease any business relationship with such companies." As I read round it says, and I may be willing to add "as expeditiously as possible," "expeditiously..." (Laughter).

Unknown Male Speaker: Turn out the lights.

Unknown Male Speaker: And the computers.

Hanson: The seconder has agreed to the changes that you made, but do you want, do we need to vote on this first? Okay, we need to debate the motion which is before us now.

Hunt: I move that we add to the end of this resolution the following: "Be it further resolved establish a list of companies supporting the Sudanese government and Indiana University cease any business relationship with such companies as expeditiously as possible."

Hanson: Alright. All in favor? Raise your hands.

Pratt: Hands?

Hanson: All opposed? It's very close, we really do have to count. Okay, back to all in favor.

Ginger: Seventeen.

Pratt: Hands up very high please. Seventeen?

Hanson: Seventeen? Alright, all opposed?

Pratt: Opposed hands up, please.

Bobay: I got seventeen. (Laughter)

Pratt: It does not pass. Is that right, Alex?

Hanson: Alright, back to the original motion which is in front of you. All in favor?

Pratt: We're now voting...

Hanson: We're now voting on the resolution which is in front you...

Ginger: ...without IU Foundation.

Unknown Male Speaker: It says on the agenda that there's supposed to be a second reading, so are we supposed to be voting on...

Pratt: This is the second reading.

Unknown Male Speaker: Are we voting on this with or without the amendment?

Hanson: Without the amendment which did not pass, but deleting "with the Indiana University Foundation."

Bielasiak: Are we voting on the amendment or on the resolution?

Pratt: On the resolution as amended.

Ginger: Remove the foundation.

Hanson: It's the yellow sheet with the ending saying "Therefore be it resolved that Indiana University through their investment managers, shall adopt as policy the requirements placed on the State of Indiana's Public Employees Retirement Fund and its Teachers Retirement Fund."

Ginger: So the last paragraph of that resolution we've removed the words "and the Indiana University Foundation." That's a friendly amendment right?

Pratt: Right. And it comes from committee therefore it is already seconded.

Hanson: Alright, everybody clear what we're voting on?

Bielasiak: I object to it.

Hanson: What?

Tanford: Point of order, when there's a question when it comes to the floor as a friendly amendment it is not subject to vote unless someone objects. One can make an objection to the ruling of the chair that this is a friendly amendment, and then voting on the friendly amendment can occur because in essence a motion to re-amend it back to its original form.

Hanson: Any objection?

Bielasiak: Objection.

Hanson: What, you are objecting? Okay. Any discussion?

Pratt: We need a second.

Andrews: I'll second it.

Hanson: What?

Andrews: I will second.

Hanson: Any discussion? Yes?

Eno: I think it would be important for us to understand what the rationale is for deleting the foundation aside from the fact that they're separate entities. What would be the implications for the impact of the resolution if we pass it since the Foundation is not part of Indiana University? Do we have the authority to pass a resolution binding the Foundation? Does the administration have the authority to implement their resolution binding the Foundation? It would be good for us to know. To know that before we vote.

Stockton: The Foundation is a separately convened or organized Foundation by itself and that's a plus. Obviously it's tasked with helping IU, and the funds from it has a separate Board of Directors and if were not legally separate, we would not have the flexibility to move the funds around in the way that the Foundation does in order to buy buildings, for instance, buy property for IU. Happens all the time. Happens about every month. Or to provide funds in the short term for things for which the University then reimburses it, and if we didn't have that flexibility the state laws, Mary Frances is here somewhere I think, yeah, Mary Frances I think you would agree that if we didn't have that flexibility the university would be greatly hindered. And we're not asking to put this off forever. Our committee really didn't know about it, we weren't advised of it. You know that's water under the bridge, but we would like to have a chance to come back before you and talk about the issues.

Tanford: Also to answer your question, I actually reread the constitution of the Indiana faculty and the bylaws of the faculty council in anticipation of this meeting (tape ends—comments lost) I think it would be problematic, if we started without our Foundation Relations Committee thinking about it, to start attempting to regulate the Foundation. There are, as a lawyer, there are legal reasons for that as well as questions of our authority. There was a case a number of years ago questioning whether the Foundation was in fact a public entity subject to the Open Records Law and all of the trauma that that would cause to various donors and plans for fundraising and there was a fairly narrow opinion by the Indiana courts that said the Foundation was indeed a separate private institution and if we as representatives of the public side of the university start doing things like that it could weaken the Foundation's claim for being a separate private institution and Dick can speak to it more than I can, I understand that it is their view that there are many donors who would not give in the same way they did if they thought that the records of their donations were subject to Indiana public records laws.

Eno: Yeah, in light of that let me suggest although I'm very much in sympathy with your position, Jack, that it would be a tactical mistake for the faculty council to exceed its boundary of authority, that we should regulate ourselves where we have shared governance authority in accord with what our values are and we should urge our Foundation Relations Committee to

represent our position and interaction with the Foundation to see whether the Foundation would like to join the university in the attitude and in the actions that the university is taking.

Hanson: Are there other comments before we vote on the amendment?

Bielasiak: Just a clarification. My understanding then is that since we have no authority that revisiting the issues down the line by the Fringe Benefits Committee will also mean we have no authority to pass any resolution or any course of action that comes from the Fringe Benefits Committee, right?

Eno: No, the Foundation Relations Committee.

Bielasiak: The Foundation Relations Committee.

Eno: We only have a persuasive role. We don't have authority.

Stockton: There was a Board of Directors...

Bielasiak: No, no, I understand that, but I'm just saying...

Unknown Male Speaker: But we could consider making a recommendation.

Stockton: Oh sure, no question about that, but our committee would like you to give us a little bit of time, that's all. We're not suggesting that we won't come before you with some ideas and if you instruct us, we'll be bound to follow up on it.

Hanson: Any further discussion of Jack's objection?

Bielasiak: I withdraw my objection.

Hanson: Alright. We're ready for a vote on the resolution which again is what you have on the yellow sheet with the phrase "and the Indiana University Foundation" deleted from the last paragraph. All in favor? All opposed?

Pratt: Opposed?

Hanson: Okay, the motion carries. Yes?

Eisenberg: Yeah, I don't know whether it requires a motion or what but I would like some follow up on Professor Hunt's earlier suggestion which came originally in the form of an amendment and that was passed. I would like to see to it that Fringe Benefits Committee has considered that suggestion and report back to us. I'll put that in the form of a motion, if a motion is required. If no motion is required, please...

Pratt: If it would be alright simply take my word that the Agenda Committee will make that recommendation, we will ask the Fringe Benefits Committee rather than trying to work this

through the formal process if you can, if you would be willing to take my word on that. We will follow that suggestion.

AGENDA ITEM#7. FACULTY AFFAIRS COMMITTEE: NON-TENURE TRACK VOTING PROTOCOLS, NOMENCLATURE, AND RESEAERCH APPOINTMENT OVERVIEW.

Hanson: Alright, the next item on the agenda from the Faculty Affairs Committee, “Non-Tenure Track Voting Protocols, Nomenclature and Research Appointment Overview.” Is it Professor Kolbe who’s going to be presenting this?

Pratt: Lloyd can I get you to come up and use the microphone, because there’s enough carpet here that it’s hard to hear without the microphone?

Kolbe: Well, Lisa hasn’t known me that long, but I have to confess, my grandfather’s from Italy and if you’ve ever heard Marlon Brando do the speaking which is very soft and does not project very far. That’s my grandfather, and the older I get the more I have this tonal quality. So, thanks for the microphone. Let me begin by saying that we’re fortunate to have five of the members of the FAC with us at this meeting today including Moya, Kevin Hunt, Myself, Jennifer Riley, and Scott Smart. I would refer you if I might to circular B14-2008 and to say that the temporal sequence listed on that circular represents the focus of the Faculty Affairs Committee during the past semester, that is to say that we’re currently working on four priorities and we will have actually a one to two page plan for each of these priorities probably *sans* the first since we’re about to put that to bed with your permission at this meeting and with some last few steps we need to take. So those priorities are to implement actually we had to develop and implement a protocol to elect NTT faculty as part of pending and perhaps subsequent BFC elections. This was led by the entire FAC and we had great support from the office of the BFC. Second on our temporal list is the trends, titles, and appointments of research faculty. We actually had the lead for this, Jonathan Plucker run some data which are very fascinating and illustrates major shifts that have occurred just between the years of 2003 and 2006 in various types of faculty, tenured and non-tenured. And those shifts are even more remarkable when you look at them by school. We’ve cut them down. The third priority then has been trends and titles and appointments of lecturers and clinical faculty. You can see we broke the research appointments away from the original three appointments that we were looking at simultaneously. Then trends, implications, and potential IUB responses to soon to be retiring faculty at IUB and in the United States recognizing that this is not just a phenomenon that will occur within IUB, that will be occurring to one degree or another throughout all the universities with whom we’ll be competing for slots to fill our retirement slots. And then last but not least, we’re trying to understand the trends and implications of potential IUB responses, well that was the fourth one. I’m sorry I missed the third one, trends titles and appointments of lecturers and clinical faculty, which Kevin Hunt has done a fine job in leading for us. The last three we are still in the process of massaging and trying to come to a conclusion on them. But the first, as was requested by the Agenda Committee, Scott Smart, who’s one of our NTT faculty in fact, will highlight the FAC work on the first priority which nearly is completed. So Scott would you care to summarize that?

Pratt : Can you join us up here, Scott, so that people recognize who you are?

Smart: So I'm Scott Smart, I hold a clinical appointment in the Kelley school and I just wanted to give you an update on the work that we've done for the nomination and election processes for NTT faculty to this body. We've been working on this throughout the fall semester. The procedures that we've come up with have been vetted not only by the FAC, but also by the Agenda Committee. So we've felt we're nearly finished with our work. We, as you know, have been working to create a process to nominate and elect three non-tenure track faculty one each from the clinical, lecturer and research ranks. And the processes that we have come up with mirror to a large extent those for tenure track faculty but there are some differences. One is that the non-tenure track appointments will not be segregated or differentiated by school. So it'll just be a pooled election. So we're going to have a large election by rank. They'll be two NTT faculty from each rank nominated and then one of those would be elected. We've asked that each nominated faculty member write a statement explaining their intent to run and what they might, why they'd like to serve on this body. We have under Lisa's signature sent a letter to all NTT faculty letting them know about the upcoming procedures and the nomination ballots should be coming out in about a week or so. So we're moving along pretty well. There are also some changes to the bylaws that need to be made just to be consistent with the changes in the constitution to acknowledge the changes that are taking place in this matter and we're working on that as well. Questions?

Pratt: Questions for Scott? I personally owe Scott a thank you, for it turns out being the ghost author of the letter than went out under my signature. Thank you Scott.

Hanson: Any discussion of any other portions of this report? Kevin did you want to talk about...?

Hunt: I took so much time with my amendment that I could talk a little bit about this issue with clinical faculty, but I think it would take five or ten minutes. If we're, if we have extra time, I could talk about it, but you know, we'll do it another time.

Hanson: Bob?

Eno: Just a quick question, did we discuss last year, or have we discussed since whether or not NTT faculty elected to the council would be eligible to serve as officers?

Pratt: I do not recall that being discussed and I think that's a, I think we'll discuss that in the Agenda Committee and then decide pretty quickly if that needs to come back as a constitutional amendment or how we'd handle that. Thank you for thinking of that. It's a good point.

Hanson: Anything else? We'll move to item 9 then, from the Educational Policies Committee. John is going to report on classroom usage, credit transfer, and priority registration for student athletes.

AGENDA ITEM#9 EDUCATIONAL POLICIES COMMITTEE: CLASSROOM USAGE, CREDIT TRANSFER AND PRIORITY REGISTRATION FOR STUDENT ATHLETES.

Carini: Well good afternoon. I'm John Carini, chair of the educational policies committee. And here, I'm here to mostly give you an update on our activities for the fall, except in the case of the priority registration for athletes that was really taken up by last year's committee and we'll need to take some action this year with respect to it. So I'll talk about first priority registration for athletes, then the proposal that you have in your stack there, and then if there's any time, I can maybe make a few comments about our study about classroom capacity utilization.

So the priority registration for athletes policy was instituted on an interim basis three years ago. It allowed student athletes to register before other undergraduate students and in addition called for re-implementation of improved waitlist for non-student athletes as well as the old rain-check system to be brought into the PeopleSoft system. In addition, the resolution asked to consider trying to modulate the priority registration system to focus it more on classes that were crucial for making sure that people could graduate on time. And then finally, it asked for an evaluation of the impact of the policy on non-student athletes. Well, unfortunately, well there's good news and bad news. The good news is that the policy has been quite successful for our student athletes, the second piece of good news is that the impact on non-athletes has been surprisingly small I think. I'll have a few comments about that. However, as you know, very little progress has been made on those other issues. In retrospect I think it was probably a mistake to lump all of those issues together. In other words, the rain check system, improved waitlist should have been pushed forward on its own merits and not tied to the priority registration. So let me just comment on the priority registration in terms of its success. The athletics department and registrar's office did some studies last spring to look at the level of participation of the student athletes in the priority registration system as well as the impact on other students. It turns out that in terms of the athletes' participation they've been using the system at a very high rate. Approximately 90% of the athletes registered during the continuing students' registration period. The majority of them take advantage of the earlier registration and I think that's been the case for all three years that the policy's been in place. Oh I should mention, by the way, that another provision of the original resolution that turned it into an interim policy was that it would expire after this fall, that is after continuing student registration for Spring 2008. So without further action on our part, the policy will expire. So the registrar did a study of the impact on non-athletes and discovered that it was as I said, surprisingly small. They identified only eleven courses out of two thousand that undergraduates registered for where they could demonstrate that registration by an underclassman who is a student athlete actually prevented - potentially prevented - upperclassmen from registering for those courses. So eleven courses and it affected at most 20 non-athletes. That is, it kept 20 non-athletes from potentially registering for those courses. And that is of course out of 30,000 undergraduates. Also, importantly if you look closely at the study, none of those students who were affected had senior standing. So it's logical to conclude that nobody was prevented from graduating by missing out on one of those courses. And I should also point out that some of those courses also had additional, the departments had instituted different types of protection to ensure that their own majors had some reserve spots for registering into those courses as well. So last spring, the committee decided that if further study of this fall's registration patterns confirmed what it saw in the spring that it would support a continuation of the policy. And in fact that study has been done. It took some time for the committee to get its hands on it, so that's the reason you don't actually have I think a resolution in front of you know. That we still need to discuss the form of that resolution in the committee, but once again there were only ten courses where non-athletes were kept from

registering and yet again affected about 20 student athletes. And so I think we'll be in favor of continuing the policy on its own merits due to the success it's had with the athletes and the relative lack of impact on the other students. So any questions about that?

Foster: Are we measuring success by the number of students who used it? That's the measure of success, is that right?

Carini: Yes, because it resolves many of the problems that they would have had in terms of conflicts between practices and class attendance.

Foster: But do you have any data on that issue as opposed to just how many students used it?

Carini: I think the athletics committee's been working on that side of it. We don't actually have that report in front of us. Bob?

Eno: It seems to me that the low impact on non-athletes indicates, low negative impact on non-athletes means that it has very low positive impact on the athletes. That they would have gotten into the courses anyway.

Carini: Not necessarily. In other words, in many cases of course you'd want to get into a particular section of a course to avoid conflict with a practice say, or a competition. So I think it's the large fraction of the student athletes who have taken advantage of the system shows that, you know, they think it's worthwhile.

Eno: So you're measuring the amount, the degree to which athletes are able to choose their sections within their course versus the number of students who are not able to take the course at all.

Carini: Right, right.

Tanford: I've got to ask a follow-up question, I understood that the comparison was for example sophomore athletes registering earlier and asking whether juniors or seniors would be bumped from the course.

Carini: That's right. Or prevented from registering.

Tanford: So it's not, it's not that, it may very well be the case that the program is successful rather than trivial because they are essentially getting top priority among all the sophomores. That is, a sophomore athlete may very well be getting into a course or section that...

Carini: Right.

Tanford: ...might not get into if they were just in the pool of general sophomores competing against upperclassmen for the courses.

Carini: That's right. But those courses weren't counted if all the upperclassmen managed to...If there were no upperclassmen on the waitlist then those don't show up in the registrar's study.

Mason: Apart from facilitating student athletes' participation in athletics, is this policy intended also to have any long term impact on graduation rates? And is anybody looking at that?

Carini: I would hope so. Of course, since it's only been in effect three years, but we probably don't know for sure.

Mason: But that would certainly be something....

Pratt: I'm pretty sure that the athletics committee is looking at that because they've been talking about that.

Mason: Was that part of the intent originally? To affect graduation rates positively?

Carini: Certainly, I imagine it was. The Athletics Committee, as you might recall from last week's, or last meeting's report, is quite enthusiastic about the policy.

Terry: I was on the council three years ago when this was adopted and I certainly remember Rick Greenspan coming in and saying that what he had in mind here was making it possible, improving the ability of student athletes to do both: To participate in their event and graduate in a timely fashion.

Carini: So we'll come back to you on this issue and try to answer any questions you may have. So if you can now look at the proposal from the Academic Leadership Council, that consists of the Vice Chancellors for Academic Affairs of the different campuses that is chaired by Chancellor Bantz.

Hanson: Co-chaired by Chancellor Bantz.

Carini: Oh sorry okay, co-chaired, and we have another co-chair present here. Right there! So, by the essence of the proposal is in the resolution which obviously is clearly stated limiting the number of credit hours that can be applied to an Indiana University baccalaureate degree to 64, from a junior college or two year institution, to 64 credit hours. Now, this is for us a resolution on their part and they've passed it on to the University Faculty Council as an academic matter. And so what they've told us is, you know, we can do with this proposal as we please but they feel strongly enough about this matter that they think it's something that we should take up. Now where this has come from, you know, one thing that was in the news of course was the School of Continuing Studies, 90/30 agreements with several out of state junior colleges. That is, students could take 90 hours at their local junior college transfer them into an IU general studies bachelor's degree and then finish up by taking 30 hours of upper level courses through the school of continuing studies. Now, that of course is one area of concern that the ALC had, has. At the same time, there are many articulation agreements being negotiated with Ivy Tech now. A number of them are mandated by the state legislature. And so I think what they would like to see is a uniformity in policy governing how those articulation agreements can be

negotiated. Now Dean Callison, School of Continuing Studies' Dean Callison, has discussed this resolution with the ALC we're told. And has one request and that is that they be treated the same way that all the other schools and campuses are treated. So they don't want to be singled out as being in the final version of the policy. And at the same time, I think we would like to work hard not to single out any particular two year institution or junior college either positively or negatively in what we come up with. So, if you, I think in general this resolution doesn't strongly affect any of the agreements that the Bloomington campus might have recently negotiated with Ivy Tech, maybe Jeanne can correct me if I'm wrong, because for example, the college has had a 60 hour credit hour limit on any junior college credit hours transferred in to its degrees. So we've had some discussions in the BFC-EPC and also the UFC-EPC. Generally, they've been in favor of a proposal along these lines. They had a discussion with the IFC, and I think they were quite strongly in favor of it as well, and I think this will affect IUPUI much more than it will affect Bloomington. The one area of specific concern that has been sent to us is actually from some of the associate vice chancellors on the different campuses: The people who negotiate the articulation agreements with Ivy Tech lately, and they are very concerned about the existing agreements that they feel were negotiated in good faith some of which indeed go beyond the 64 credit hours. And so, the caveats to the resolution here that you see in the notes section from the ALC don't really specifically address what we should do about existing agreements that go beyond 64 credit hours. There's of course an explicit exception for articulation agreements for associate degrees for which there are certification or accreditation issues that require more than 64 credit hours at the junior college level so there is an exception there. I think the implication is that would apply to future agreements so it's still not clear exactly what to do with existing agreements. So what I need to ask you all is, you know, how should we treat existing agreements? You know, some of them do go to 68 69 hours, possibly even more than that. So that would be one issue that I would appreciate your input on. A second issue is do we cap how far the exceptions go in allowing junior college credit hours to be applied to IU bachelor's degrees. And then I think the third thing is, for any exceptions, do we create a review period for those to be reconsidered automatically in order to have that exception continue. And so I would appreciate your comments.

Hanson: Alex?

Tanford: Is the concern about like this ninety hour program that students have enrolled in these junior colleges with the promise that they will when they eventually reach these peaks be able to transfer these credits?

Carini: Right, so there's an exception here for students who've already transferred, and I think we would also make an exception or have a time limit for students to enter in under existing agreements.

Tanford: But, but, since students in some of these junior colleges are attending part time, it would be difficult, one thing to do a three year sunset clause on this provision. But that doesn't address the students who may take a number of years working part time to get to the point of transferring to finish their last year at IU.

Carini: Right.

Tanford: And I agree it makes drafting that provision, you know, deciding must have been difficult, but it seems to me, protect the students who've already begun a program at one of these junior colleges even though it may take that student many years yet to finish to get to the ninety hours.

Carini: I think that's right. And so what the associate vice chancellors actually want us to do though is to grandfather in the existing agreements.

Tanford: Including new students who haven't yet signed up for ...?

Carini: That the agreements are there and we're not going to...Now, I don't think we can do that because this if we're trying to treat the School of Continuing Studies on the same basis as everyone else, wouldn't we have to grandfather their program in as well? And I think people are very uncomfortable about doing that.

Terry: Do the existing articulation agreements contemplate existing forever and never being changed, or do they contain a date by which they were supposed to be reviewed by the institutions anyway?

Carini: The ones on this campus have a review period. Three years or five years, I believe.

Terry: So would it be possible to rely on, to extend, to not make changes until the end of that review period? Whatever it says in the articulation agreement.

Carini: That would be possible, but I don't know about the other, what other campuses have negotiated.

Eno: If it's all very well to make sure that we don't consider the school, that we consider the request from the School of Continuing Studies not to be treated differently from other schools, but if the School of Continuing Studies has formed agreements that are well out of line with any other school, I don't think that that request necessarily needs to be honored. If their behavior has been (tape side ends)

Eno: ...Policy or some such language with the fact that the School of Continuing Studies' agreement may need to be immediately changed.

Carini: I just meant that we are allowing exceptions and I think...

Eno: We could put a range within which, or we could recommend a range within which the exceptions would occur looking at what the maximum number of hours currently are versus if you accept the school of Continuing Studies it may be quite reasonable. The number of hours that you quoted, 67, 69, this is not an earth-shaking difference to wait a few years to bring into line so that we honor agreements that were made in good faith. But 90 hours is a different matter.

Kolbe: And I would note that the title really focuses on community college transfer credits. But when you look at especially ___ universities with which we'll soon have agreements, they're not community colleges.

Carini: That's saying that these institutions have similar policies as what's proposed here. Others? Herb.

Terry: I have a question about number four. Is it the intent of note four to prohibit a school or a campus from adopting in the future a maximum lower than 64? And to say only individual schools and campuses can retain the current maximum so that no school could, for whatever reason, adopt below the limit even though some schools or programs already have one?

Carini: No, I think that it explicitly allows schools to retain the lower limit.

Terry: To retain but could they adopt one?

Carini: I think they could—oh it says retain, I see. Yeah, right. I think we would allow them to adopt such a thing.

Pratt: I think we should ask the co-Chair who's sitting here.

Hanson: That language clearly doesn't prohibit them from doing that. It just doesn't comment on it. There would be other issues they would face if they tried to, schools would face if they tried to have a lower limit, but I don't think this speaks to it. Professor Scott?

Scott: I might suggest that students who are planning on the long term range of being able to do this and have already been enrolled in community college, you might allow them if they have already begun that enrollment, or have the transfer before the date of the implementation of this policy, that that might be a way to do it by the student rather than by a grace period only. So it might protect students who are going for five or six years regardless of their limits. I guess the other question I have is is Purdue doing a similar thing or has it been considered what this might do to enrollment in the state of Indiana for students for students who have considered Indiana University versus Purdue or if Purdue has no such limits, will we lose students to Purdue in this bracket?

Carini: Well I think we're cooperating within, negotiating the articulation agreements trying to make it easier for students to transfer to one of the IU campuses so I don't think this is that negative.

Scott: My concern with Purdue is if Purdue allows 90 or 120 credits or something like this they're not marked as a pure institution that has a similar policy, maybe they do, I was just wondering if we saw that as potentially affecting our future enrollment because they don't have such caps.

Carini: Right. Well the mandate to create these agreements has only been a few years old now, so it's probably new for everyone at this point.

Hanson: In reference to your first point, the first note there does suggest that the exceptions and the grandfathering is done in terms of the student. I mean that's what it says. Any students who were enrolled. So they could be tracked already. So I think your first...

Carini: I think it's ambiguous about whether it applies to students who are already here or students who are maybe planning on taking advantage of one of these agreements. I think there's...

Hanson: Well, maybe. But it does seem to say who were allowed and they were there, students who were allowed when they began to be students. On the issue of whether or not it disadvantages us with respect to Purdue, I also think that it's, you know, it comports in a way with the growth of the community college system. To think of it as supplying possibly two years of education for, and half a degree for some students. And the emphasis on Purdue and IU as the research universities with a different sort of undergraduate mission with the baccalaureate degrees. So, there could be some gamesmanship but I somehow doubt that Purdue would be interested in stamping its title on 120 credit hours from elsewhere.

Eno: I think the Purdue issue actually is very valid in another direction. I'm not really concerned about losing the students to Purdue. We've got a lot of students, and this is not a major stream for our campus. But the last time we dealt with inter-campus transfer issues in a very public way, we got beaten over the head by the legislature, because Purdue seemed to be cooperating more with the goals of unrestricted access than IU is. If this is perceived by the legislature as IU restricting access in some way and Purdue is doing something different which seems to open access in another way, we could pay a price, which is simply a PR price, which was quite heavy in the last instance. So I recommend that we find out what Purdue is doing and see whether or not we can work cooperatively with Purdue.

Hanson: That's undoubtedly wise, but the flip side of it seems to me is that it comports with the state's investment of resources in the community college system so that we actually are engaging in the kind of mission differentiation that's been mandated by the state. But I take your point that it would be wise, it's always wise to find out what Purdue is doing (laughter).

Scott: I don't want it to be construed that I oppose this, I think it's great in terms of transferability. The question is, you know, a couple of years ago we had the issue with fee increases, and Purdue did not act in step with Indiana and that had statewide repercussions.

Hanson: We're going to just take one more comment and then we'll do the last minute__.

Sept: A quick comment following up on that, that's why the language, the credit hours can be applied to an IU BA degree is important as opposed to just transferring credit; that that gives, that retains, control of the degree requirements on campus. Students can try to transfer more credits if they want to, but if they're not appropriate to their degrees they decide to enroll in, it doesn't make any difference. That's a political, that's an important__

Pratt: Thank you, John.

AGENDA ITEM#10 RESEARCH AFFAIRS COMMITTEE: AUTHORSHIP GUIDELINES.

Hanson: Thank you very much John. And the last item on the agenda, we have a little bit of time for this, Research Affairs Committee: Authorship Guidelines. Professor Arnold?

Arnold: Well good afternoon. Due to the updates in the federal definition of research misconduct, IU was required to revise its policy on research misconduct. The new policy incorporates recent experience in several research misconduct investigations at IU. There are two main differences between the new policy and the previous one: First, and this is how it applies to authorship, the NIH has narrowed the range of issues that it considers research misconduct. The new NIH guidelines focus on fabrication, falsification, plagiarism; this excludes disputes about authorship which were included in our previous research misconduct policy. The second item is that policy and procedures are now combined in a single document instead of having separate documents for each. The new research misconduct policy was adopted by the BFC on April 3rd of this year and by the UFC on April 24th of this year. So research misconduct has been handled. So our new policy on research misconduct does not cover disputes about authorship. Disputes of this kind are common and they often involve graduate students who feel that their work has been misappropriated by faculty advisors. In drafting the research misconduct policy it was strongly recommended that the BFC adopt a policy on authorship. The Research Affairs Committee co-Chairs drafted an authorship policy which was circulated for comments to the graduate school office of student ethics, the student advocates office, the Research Affairs Committee itself, and the Dean of Faculties. We offer the current draft to the BFC for action. And you have the policy in front of you and there aren't any pages missing. It actually fits on the one page. The important thing to point out about this is, well the first thing is the title. It will probably come back to you and not say "Policy on Authorship." After considering what to call this thing, we felt that it was more in line with sort of the broad texture of this university that it really shouldn't be a policy that everyone has to feel like they have to fit into. It really should be 'Guidelines on Authorship' or 'Statement on Authorship' or some more general less restrictive title so that people felt like if their discipline didn't fit these exact criteria that they were somehow in violation of the university's policy and we don't want that to be the impression at all. But we do want to offer some general guidelines that we thought would fit most disciplines. So the useful comments that we can take from all of you would be very broad general comments. And we're less worried that each discipline feels like these criteria fit perfectly to them. We also feel that it would be appropriate for individual departments and disciplines to write their own, sort of their own policy actually, if they feel it's necessary that actually does govern what they decide the criteria for authorship are within that discipline. So that is certainly something that we feel would be useful in some disciplines although it wouldn't necessarily be required of any discipline. Thanks.

Hanson: Thank you. Any questions? Herb?

Terry: I'd like to ask if your intent is to do what I think this policy does. Until you get to the last sentence of it, its strongest words speaking about guidelines are should and may, but if everything above fails to satisfy a co-author, this matter apparently automatically goes to the

Vice Provost for Research and the Vice Provost for Research will decide what to do. Is that your intent?

Arnold: No, it's intended that if there are any disagreements that actually it be resolved at the department chair or center director level.

Terry: So why do you have the last sentence?

Arnold: That's for, in the event that it doesn't get resolved at either that level or the next level which would be the dean or deans of the appropriate schools.

Terry: Well then the answer to my question is yes. Ultimately the Vice Provost for Research becomes the arbiter of authorship.

Arnold: With the expectation that that would only happen in very rare circumstances, yes.

Paolillo: Would you clarify the circumstances in which this set of guidelines would be invoked?

Arnold: What we see as the main area where this would happen is when someone, probably it could be a student or not a student, but someone feels like their work was basically pilfered by someone else and they're not included as an author on the work. And I think these are the majority of cases that have come to like the University Counsel's office is when a graduate student for example has done a significant amount of work but is not included on a publication as a co-author.

Paolillo: So this would be a judicial proceeding?

Arnold: Not necessarily. Yeah?

Hunt: What's the difference between acquisition of data and collection of data? Because a person, it says authorship is generally based on acquisition of data, if acquisition is pretty much synonymous with collection of data, then they approved the version then they should be on there, but then if acquisition of funding in the second bullet point collection of data or if that means acquisition of funding or collection of data or general supervision it doesn't justify then it's pretty much saying acquisition of data can justify it or acquisition of data doesn't justify it.

Arnold: Yes. (laughter)

Hunt: Okay.

Arnold: Well we certainly had that discussion because we feel that in some disciplines, that may be adequate for being considered as a co-author, but it also says in there somewhere that authors should meet two or more of these criteria. So collection of data plus some other contribution...

Hunt: Plus approval of the paper, so possibly a graduate student says, 'I approved the paper and I collected the data so I should be on there.' And...

Arnold: Right, since that term means very different things in different disciplines. Right? In a chemistry research lab collection of data could be very complicated and someone spends most of their time learning how to collect data in a certain way and it's a very important part of the research project. Someone else might go just track down a list of references that someone gave them and collect information and it's not, I don't want to say that's not important, but may not have the same significance toward a publication. That it would in another discipline. So in some cases it could be something that merits consideration as authorship, but in some other disciplines it might not. So that's why it actually got included as both. This could be something that qualifies you for authorship, but it could be something that is not sufficient in some disciplines to qualify you.

Hunt: Got you.

Hanson: Let's recognize the graduate rep, Paul?

Rohwer: I'm curious to know how many schools or departments on this campus have existing policy.

Arnold: I don't know how many schools or departments on this campus, I expect that none do actually because this would have been covered under the old research misconduct policy so that probably alleviated the need for having any department specific policies. But just to give you a point of reference, there are other universities, comparable universities, that have either policies or statements.

Rohwer: Right, you're expecting the departments to have their own policies. Is that what you're suggesting?

Arnold: We're not expecting it, but...

Rohwer: You're suggesting it.

Arnold: ...suggesting that especially if it becomes an issue in that department then it's it would be to that department's benefit to actually have such a policy in place. Just to delineate the criteria.

Eno: I've got nothing against the guidelines; I think basically you've done a good job, but I think Herb's question is the question that really is the one that counts. Ultimately this is what we have always considered research misconduct, although it no longer falls under that category from a federal standpoint and it's a serious matter, and it does require in some cases investigation and adjudication. And to leave that in the last sentence that essentially says, 'the person in that office will take care of it,' without sketching out what the mechanism would be for doing it, making sure there's due process and that you have proper representation and standards to go by, I think ultimately won't work if you have a difficult case and is a way of inviting a lawsuit. If you do have a difficult case, hopefully you'll never have one, but I think in the long run it might save us

trouble if we had, not a statement or a guideline, but a policy on adjudicating difficult cases that aren't resolved by the guidelines that you've got here.

Hanson: Yeah, I think one more comment, and we're pretty close to adjournment.

Unknown Male Speaker: I wanted to understand how this fits in to collaborations that already have policies about authorship. Does this trump those?

Arnold: No, it would not be the intention of any of those who have seen it thus far that it would trump any other agreement that might be from a collaborative research grant or project.

Unknown Male Speaker: And so that means that this would not provide a parallel avenue of complaint for someone who feels that they were unjustly left off a paper for a collaboration that has a written policy of authorship.

Arnold: It may not, correct.

Unknown Male Speaker: I would argue that it should not.

Arnold: Yeah.

Carini: Well that would be a defense, right? Since these are guidelines?

Terry: What do you imagine happens if the authors are of different institutions and they have different policies? Or if one of the authors, as it happens in my case, is not a member of the university communities, a private individual?

Arnold: Any number of things. (laughter) I really expect that most of the disputes are actually a result of miscommunication early on in the process of drafting whatever this publication would be and so it would just be a matter of retroactively inserting that communication and so I think that's why a lot of these disputes could be resolved at the department level, the center level, the dean's level. Just by initiating and bringing the parties together to actually communicate about what is and what isn't, you know, required for authorship.

Hanson: Yes?

Burns: The reason this is a policy is because by nature these problems are an aberration and so, I mean, making it a formal policy is not really possible because you've got these aberrant behavior so guideline was sort of our fallback. We just couldn't think of a way to make a policy that covered every possible aberration that arose because different communities have such different behaviors including formal research collaboration.

Arnold: And within a discipline it may be possible to flesh out a more direct and specific policy that could be well suited for everyone in that discipline.

Hanson: Thank you, Randy. This is the first reading. This will come back. If you have additional suggestions or comments that you want to send to the Research Affairs Committee, that would be helpful, and we've reached mandatory adjournment, so we're adjourned. Happy Thanksgiving.

Adjourned 5:29