Indiana University
UNIVERSITY FACULTY COUNCIL
March 29, 2011
1:30 P.M. - 4:30 P.M. (EDT)

IUB: Franklin Hall Room 106
IUE: Whitewater Hall Room 119
IPFW: Helmke Library Room B37
IUPUI: ICTC Building Room 541
IUK: Main Building Room 111
IUN: Hawthorne Hall Room 318
IUSB: Northside Hall Room 075b
IUS: Knobview Hall Room 112

Attendance


MEMBERS ABSENT WITH ALTERNATES PRESENT:


GUESTS: Barb Bichelmeyer (Assoc. VPUAPP), Craig Dethloff (FCO), Tom Gieryn (VPFAA-IUB), Taehui Kim

Agenda

1. Approval of Minutes http://www.indiana.edu/~ufc/docs/minutes/AY11/11.30.10.pdf

2. Agenda Committee Business (10 minutes)
   (Co-Secretaries Erika Dowell and L. Jack Windsor)

3. Question/Comment Period* (10 minutes)
   (Co-Secretaries Dowell and Windsor)
4. Creation of the Rank of Professor of Practice (30 minutes)  
(Professor Tom Gieryn, Vice Provost for Faculty and Academic Affairs, IU Bloomington) [FIRST READING]  

5. Proposals for the Reform of the University Faculty Council. (30 minutes)  
(Co-Secretary Dowell) [DISCUSSION]  
http://www.indiana.edu/~ufc/docs/addDocs/AY11/UFCReform.pdf

6. Sunset of the Family Leave Policy (30 minutes)  
(Professor Maria Bucur-Deckard) [DISCUSSION]  
http://www.indiana.edu/~ufc/docs/policies/FamilyLeavePolicy.pdf

7. Old Business/New Business

**Minutes**

**AGENDA ITEM 1: APPROVAL OF MINUTES**

**DOWELL:** Alright we’re live. Hi everybody. Hello again, welcome to the meeting. We’re going to go ahead and do introductions. Indianapolis would you like to start? Say who you are, please.

[Introductions]

**AGENDA ITEM 2: AGENDA COMMITTEE BUSINESS**

**DOWELL:** Alright, thanks everybody. I don’t have too much to talk about specifically under Agenda Committee business, unless I’m forgetting things. We have continuing work going on on the Family Leave Policy which we’ll be talking about later on the agenda so there’s no need to kind of go into that right now. We did just have an interesting meeting. President McRobbie was able to attend the Agenda Committee meeting, but then he’s not able to join us here this afternoon because he has some... the legislature is suddenly back in session. The Democrats are back and he had already been summoned to a special meeting of the all university presidents with the Senate Budgetary Committee and so he had some things that he couldn’t get out of and probably shouldn’t try to get out of anyway. So he’s on his way up to Indianapolis I’m sure as we speak. But we did have an interesting conversation with him. He gave us sort of an update on where he thought legislative matters were at, and exhibited some cautious optimism that the university’s message is being heard and listened to by the people up there and we will see what happens. We also talked about and got some of his opinions about our reform efforts that struggle onward. And I think I’ll just hold and talk about those when we get to that item five. Craig, is there anything I am forgetting? And Jack do you have any Agenda Committee business that we should.

**WINDSOR:** No, not at this time.
DOWELL: Oh yeah, the only other thing that we talked about, that Jack asked about at the Agenda Committee Meeting, was about the New Academic Directions Report which he thinks will go to the Trustees in the next week or so. And he indicated that in the coming weeks it would be circulated to Faculty Council groups for comment and input, so something to look forward to in the near future. Jack, did you have anything?

WINDSOR: No, I don’t.

AGENDA ITEM 3: QUESTION/COMMENT PERIOD

DOWELL: Okay. Are there – moving to item 3 – are there any questions or comments for me and Jack or John’s representative or…?

TERRY: Hi, Erika, can I say something?

DOWELL: Yeah.

TERRY: This is Herb Terry, I want to thank the [comment indistinct].

DOWELL: Can you speak up Herb? I can’t hear you.

GIERYN: Speak up.

TERRY: I think I’m speaking up and we don’t have our mute on. Can you hear me now?

DOWELL: Yes.

TERRY: I want to thank people at the regional campuses and IUPUI who distributed the information about the Early Retirement Incentive Program. Roger Levesque and I at Bloomington summarized all the comments. I’d say 20% of the comments we received were not from IU Bloomington and we can thank those who [comment indistinct] and I think that they did have some impact on the substance of that plan and behind the scenes a little bit on how it will be administered. For example, the suggestion emerged that some smaller units might not in the short term have the money to pay to cover the costs of an early retiree and a system is being created where they will go back to central administration after that, so some good suggestions emerged and I want to thank you for distributing that very quickly.

DOWELL: Thank you, Herb. Any other questions or comments? Ah yes, Lesley?

WALKER: Hi, I’m just wondering do we have any more information on how we’re doing with the LEAP Initiative and if that is going forward on campuses, where we are, where the legislature is? We had discussion of the LEAP at our Senate meeting last Friday.

DOWELL: Right, I believe April 5th was the deadline we asked for comment from all the campuses to come in with particularly responses to the three different parts of the resolution.

WALKER: Okay.
**DOwell:** And Barb did you want to step forward and say anything about – is there any new information since the meeting of the CHE that talked about LEAP and so forth?

**BichelmeYer:** The state has engaged in some initiatives to provide information about LEAP and along with other learning outcomes and national initiatives that the State of Indiana is involved in – the Commission for Higher Education is involved in. That was February 25\textsuperscript{th} and they seemed to be interested in pursuing the conversation in the state. There’s also a presentation at the last Commission for Higher Education meeting about LEAP as well as Lumina Tuning and one other item...

**DOwell:** Degree Qualification.

**BichelmeYer:** Degree Qualification, thank you, Degree Qualification Profile. And that presentation is actually available on the Commission’s website. So that conversation has actually stopped. The best our Government Relations people can tell, any conversation about legislating the ten-course 30-credit hour common core curriculum that was in circulation in draft form earlier in the legislative session – probably helps that now that the democrats have been out and returned – that their legislative agenda is going to be what is absolutely necessary at this point in time. [laughter] In the meantime what I know about what’s happening –

**Walker:** – Unintended consequences –

**BichelmeYer:** – Yes, what I know about that’s happening on campuses, I do believe – well, Chuck’s already reported it that Northwest has had a conversation. I’ve heard from Southeast that they brought this up to faculty in their Faculty Senate and have been supportive. Laverne, you can comment, I believe East brought this up in their Faculty Senate and was supportive –

**Nishihara:** [indistinct comment] – of the first two bullets.

**BichelmeYer:** And so that leaves – we don’t – I’m not sure what’s happening at Kokomo and I know that South Bend had been engaging in conversation but I haven’t heard about what was happening there and I believe IUPUI has been in conversation, but I haven’t heard about what is actually happening there in any detail. So I think various campuses are in various states of conversation about where they are and again back to Erika’s point, I think what we were looking for is a weigh-in on each item as a potential resolution separately. So is your campus interested in being a LEAP campus, are you interested in supporting the idea of LEAP state, and then are you interested in tying LEAP to transfer. And I think various campuses are weighting in at various levels. I think one and two are generally from what I know, supported, and 3 varies from campus to campus.

**DOwell:** Great.

**Walker:** Just to clarification...

**DOwell:** No, go ahead.
WALKER: Just – sorry - clarification, so Barb we should just send you brief summary of our discussions and those three points? Is that what we should do?

BICHELMeyer: You send it to Erika and Jack, I believe.

WALKER: Send it to Erika and Jack.

BICHELMeyer: Right, and they’ll keep me apprised.

WALKER: Okay, thanks.

DOWELL: Chuck?

GALLMEIER: We had the discussion last week, too, in our faculty organization and we did a straw poll and I’ve been pretty much authorized to vote for the resolution at this date. For what it’s worth, that’s what we’re doing at IU Northwest.

DOWELL: Alright. Great.

BICHELMeyer: Thank you.

DOWELL: Thank you, Barb. And so I think after we get the weigh-in from all the campuses then I think we’ll put our heads together and decide if that’s something that’s going to come back at our final meeting or if it’s going to come back in a different form or if it’s going to remain something that different campuses will kind of group themselves around, but other some campuses won’t. That’s where that’s at. Any other comments, things that are happening that I forgot about?

AGENDA ITEM 4: CREATION OF THE RANK OF PROFESSOR OF PRACTICE

DOWELL: Okay, great! Let’s go ahead then into item four on our agenda, the “Creation of the Rank of Professor of Practice,” first reading. We’re having this presented by Tom Gieryn, Vice Provost for Faculty and Academic Affairs of IU Bloomington who’s been a key person in developing this policy here on the Bloomington campus.

GIERYN: Thanks, Erika. I’m pleased to address the Council today. The proposal that you have in front of you is really the result of shared governance. It comes through the Faculty Affairs Committee of the BFC. It was approved then – or at least endorsed – by the Bloomington Faculty Council as a whole last January. But on the other hand, the instigation for the new academic rank Professor of Practice came from the deans on the Bloomington campus in particular Journalism, Law, Kelley, and SPEA, but all of the deans on the Bloomington campus expressed a desire to have such a rank in place. The objective really is to recognize what the deans told us. The deans said that they would find value in bringing to IU as teachers those people who have excelled in a career in practice; that is, throughout their career in a career outside of the university; that is in a profession but a non-academic profession. They see great value in bringing such people to campus for their teaching abilities and what they might have to offer our students. The existing ranks didn’t quite work very well for the schools’ efforts to hire such people. The title of Lecturer was not quite enough of an attraction and the title Clinical
Professor was often not appropriate for people who would really have exclusively teaching responsibilities and would not have any responsibilities connected to a clinic. Such people really did express some desire to enjoy the cachet of the Professor title and so the idea is in this proposal to add the Professor of Practice title to the menu of non-tenure-track academic appointments.

A couple of things about the policy that I can mention and then we can open up conversation, first of all the Professor of Practice rank is intended to be an instructional rank only. It’s a teaching rank. If there are research or service expectations those would need to be in support of the teaching mission of the unit. Secondly, this rank would be reserved for people that have established regional, national, and even international prominence in their field. Whatever their field of practice maybe, we’re really looking to bring people to our campuses that bring a wealth of experience, practical experience, but also reputation and connections because we believe all of those will benefit our students. Third, it’s hoped that people who occupy the Professor of Practice rank will have a terminal degree in the field of practice whatever that terminal degree might be or as the policy says, an equivalent in practical experience. Fourth, the policy calls for the approval at the point of hire by the provost or chancellor or designate. So there would be some campus-level overview at the point of hire. Obviously the hiring itself goes on in the departments and schools.

Finally, much of the policy as you read it contains paragraphs and even sections that are drawn straight from the Handbook. Generally when we added a new rank, whether it was Clinical or Lecturer, we repeated sections on rights and privileges and I just followed suit in basically lifting the same language from the Academic Handbook on rights and privileges. There’s no reason why we need to repeat it but, you know, I think that I’m following the lead of others who have made changes by adding new ranks. We could shorten the whole policy by simply referring people to other pages, but it’s up to you. So the sections “Rights and Privileges” and the section called “Protection of Academic Freedom” are essentially no different from what is already in the handbook for the other non-tenure-track ranks. We did a little research on Professors of Practice, actually the Faculty Affairs Committee here in Bloomington did, and found that four of the CIC schools have such a rank campus-wide: Chicago, Michigan State, Penn State and Nebraska. Six other CIC schools have units with this rank available: Illinois, Iowa, Michigan, Minnesota, Ohio State, and Purdue. Only two schools in the CIC group Wisconsin and Northwestern have no Professor of Practice or equivalent. And there are a lot of campuses around the country: Virginia, Berkeley, Columbia, Maryland, Arizona, Duke, MIT, George Washington University, Syracuse, Arizona State who have such a policy or equivalent. I think that’s the nuts and bolts, I’m open for questions or expressions of concern.

**DOWELL:** Herb?

**TERRY:** Thanks, if I’d known this was going to be on the agenda before yesterday I would have sent these comments to people. But I have about six things that I would say and I think they’re mostly editorial but there are a couple that are substantive. First of all, I think that there’s a potential conflict between the description of what this job is in the first long paragraph that goes on page sixty-seven and then the one that would go on page eighty-six. That can be fixed
easily, I think, if “student development and practice” [sic] in the first paragraph and “in support of teaching” are reconciled. Just say ‘teaching, student development, and/or practice’ in both places and then it’s very clear what these people can do. They can perform service act –

GIERYN: – Herb –

TERRY: Alright?

GIERYN: Just repeat the proposed wording, so I make sure I have it.

TERRY: Go to the second line in the middle of the first description.

GIERYN: I’m there.

TERRY: In front of “student development” put “, teaching, student development, and/or placement.”

GIERYN: “student development,”

BUCUR-DECKARD: “teaching, and/or placement.”

GIERYN: “and placement.”

TERRY: Then repeat that in the second place.

GIERYN: Alright, fine.

TERRY: Then it’s very clear what they can do with these folks. Second, sort of consistency, issue I have would be on the second page. I’m not sure what the probationary period is. In the period describing the appointment it implies that it’s a seven-year probationary period. “A major performance evaluation will take place before the end of the seven-year probationary period.” And in the third line of “Protection of Academic Freedom” it says, “a probationary period of not more than three years.” That certainly is –

GIERYN: – Yeah, where’s the three?

HENSHEL: It’s the third line down.

TERRY: Yeah, so [comment indistinct].

GIERYN: I’ve got the seven years. The initial appointment is for three years and then subsequent to that there are annual reappointments. The probationary period as a whole is seven years with the decision in the sixth year, as we always do.

TERRY: But look at the third line below “Protection of Academic Freedom.” That implies three years.

GIERYN: Alright, that’s got... you’re right. That again... my apologies, that’s language borrowed from...
TERRY: Something else...

GIERYN: I’m going to change that to seven then.

TERRY: Yeah, just make it consistent with whatever our policies are. Third question, this may be a little more controversial. It’s not entirely clear to me what the chancellor or provost is supposed to take into account in approving the offer. And it would be helpful I think if it said at least that the chancellor or provost must conclude that the offer is consistent with the policies that govern this rank or something like that. Otherwise it’s just a kind of an open-ended invitation to the chancellor or the provost to say yes or no which could be good for the faculty member or bad for the faculty member or good for the administrative unit or bad for the administration, I don’t know. But it’s an awfully broad grant of discretion, I think, for whomever. Maybe we can talk about that. In the last paragraph on page two, I’m going to apply something I learned when I was head of the University Faculty Council, there’s a line in there after the probationary period, “dismissal of a Professor of Practice, etc...” It goes on to talk about “permanent downsizing of the program in which the faculty member teaches and serves.” “Program,” has widely varying meaning across this system. On IU Southeast, for example, it’s the functional equivalent of department in a school. At Bloomington it tends to mean something that is kind of non-departmental and interdisciplinary. Maybe the best substitution is “of the appointing unit in which the faculty member teaches and serves,” or something like that. But on some campuses the use of the word “program,” would have a vastly different meaning than it has on others.

GIERYN: Would “department or school” or “department/school” be better?

TERRY: No, because some campuses don’t have departments.

GIERYN: Then what are you proposing?

DOWELL: Just “unit” perhaps?

DETHLOFF: “Appointing unit.”

GIERYN: “Unit?”

TERRY: “Appointing unit,” perhaps.

GIERYN: “Unit.”

TERRY: Or something.

DETHLOFF: “Appointing unit.”

HENSHEL: Academic unit.

GIERYN: Academic unit?
TERRY: [remark indistinct] very specific meaning on some campuses and that’s a problem. Another question, I think, would be [remark indistinct] in the first paragraph under “Protection of Academic Freedom.” By implication in that is that when the probationary period is nearing its end the only basis on which these people can be continued is if they have achieved excellence in teaching as the unit is instructed to define it in the descriptive paragraph, “Use of Professor of Practice...” Is that our intent? That to be – to get beyond the probationary period there must be evidence that these folks have achieved “excellence,” not “very good,” but “excellence” in teaching.

HENSHEL: Yes.

DOWELL: That’s the idea.

TERRY: That’s the way I read that first paragraph. That might be a point for some discussion. And then let me just make my own final point and then see what [remark indistinct].

VARIOUS: [indistinct comments]

BOLING: ...excellence in teaching, student development, and placement.

GIERYN: Hang on, wait...

TERRY: Yeah, so we can come back to that. My final question is in that last paragraph on page one. Some of the schools that are asking for this are already very close to the limits that we have in our policy about percentage of their faculty that can be non-tenured and non-tenure-track. It’s not just a matter of voting privilege we have units that are close to the 40% limit that we have set by policy on simple faculty appointments. So I think it would be useful if this thing clarified that these Professors of Practice count like Lecturers and like Clinical faculty in the number of faculty a unit has, if they’re full-time, and that they would count against the limits that we have set for percentage of faculty in the units that can be non-tenure-track. Otherwise, I have a fear that some of these units that are already very close to going over that limit it will simply mean even more people and further reduce the significance of their tenure-track components. That’s the only suggestion I have. Generally, I love this. This idea has been percolating for years and I’m glad to see it make it to the top.

DOWELL: Alright, thanks Herb.

WINDSOR: Erika?

DOWELL: Yes? Indianapolis.

WINDSOR: Faculty Affairs Committee at Indianapolis took a look at it. They had a lot of concerns, some of the same ones that Herb just mentioned, particularly how are these people going to be recruited? What’s the mechanism? Is this a search and screen? Or what’s the mechanism?
HENSHEL: I can tell you from SPEA’s perspective, it usually is a connection. It’s somebody that the dean or somebody else knows who’s at loose ends and they want to bring in. [low laughter] That’s an odd way of phrasing it, but it’s true.

GIERYN: I can say that as we crafted the policy, Jack, the supposition was that this would not be part of the ordinary search and screen, that an ad for a Professor of Practice would be highly unlikely, that the idea is something along those lines that these folks would be considered targets of opportunity because of their prestige, their accomplishments. It is an opportunity. Now, having said that, I don’t think that there’s any attempt here to gut the ordinary faculty governance rights in terms of determining who becomes a faculty member at IU. It may very well be that the connection is with the dean, but we presume that such appointments would go through ordinary procedures for, you know, having faculty members, committees, whatever the structure might be, vote on these appointments.

HENSHEL: No. It’s not in practice. It happens pretty quickly sometimes. Like over the summer when people aren’t around and it’s a fait accompli.

GIERYN: And is this behind the concern?

WINDSOR: Sure, absolutely. Who’s…I mean…I reckon the chancellor or provost is assessing the excellence, right? Or is the unit assessing the excellence?

GIERYN: Initially when we’re hiring this person they may or may not have much of a teaching record. The judgment is by the unit that’s doing the hiring that they have something to offer our students by virtue of their successful lifelong – or mostly – career in practice. So the judgment at the unit level is, what does this person offer or bring to the teaching mission of our unit? To jump to Herb’s question about the provost and chancellor; yeah, Herb, I think really what they’re doing is making sure that the credentials are in place, that the process of considering candidates was one that involved faculty, that was not a practice of the dean hiring the dean’s friend but was rather a broad based expression of support. That would be something that I think that the provost and chancellor would want to look at.

DOWELL: Chuck, and then Elizabeth, and then back to Indianapolis. Chuck, go ahead.

GALLMEIER: I just want to concur that we’re having similar difficulties here at IU Northwest. Faculty Affairs has been looking at this and we talked about it in the faculty organization. And once again it comes down to the issue of how are they hired? Some people even had some concerns about what a five-year contract meant but essentially the concern was the procedures, the process of how we would go about hiring someone. And so now I’ve learned a little more and I’m a little afraid that might cause some consternation back here.

DOWELL: Alright, Elizabeth?

BOLING: If I could say that if there is some way to make sure there are processes that people are comfortable with, I’d hate to see this passed by because of concerns in some areas in Design and the Fine Arts. I think that we may consider that we are not offering our students the excellence they could have without this kind of a rank and this kind of recruitment and
placement of people in teaching positions. This is done in the most prestigious programs of those types and I hope that either current practice or not knowing about those practices wouldn’t get in the way.

DOWELL: Aright, thank you. Indianapolis? There are a couple of hands, want to do two comments from Indianapolis then we have somebody back in Bloomington. Subah, first.

PACKER: So I think that putting that these people can only get a long term contract if they’re shown that they’re now excellent in the teaching mission doesn’t make a lot of sense either because the premise is that we’re hiring them because they have shown excellence in an applied way, so some kind of service outside the university or in research of some sort and so then we’re going to ask them to show excellence in two missions to even get a long term contract which is more then we ask of the tenured faculty. So I think we need to think about that language a little bit and what it is we’re asking them to come in with, the credentials to start with, and what we’re asking them to do to get a long term position.

DOWELL: And then, other comment in Indianapolis?

UNKNOWN INDIANAPOLIS MALE SPEAKER: Yeah, the other comment has to do with, do you think we’re kind of – by cutting and pasting some of the language we use in the – the sort of the tenure-track terminology, “probationary period,” where I’m not particularly sure that’s really the right word because after the probationary period comes what? I mean, generally, the tenure-track gets tenure and then it’s not clear what’s defined as the next step after the probationary period. And I think that Subah’s right, that now you also have a different expectation of these people to develop an academic teaching credential as opposed to a Professor of Practice. The practice credentials were how they got the appointment and then you’re saying that eventually you have to become a, you know, scholarly type of teacher as opposed, you know, to publications and teaching, scholarly work and teaching, that would be the expectations, I suppose. I think we’re mixing terminologies through cutting and pasting rather than crafting what we want to say and how we want to define it, is the problem. I think it’s inappropriate to cut and paste for this new rank it’s neither… You know, it’s none of the above.

DOWELL: Alright. Joey, you had something to say down here?

TARTELL: Yeah, completely separate, but reading this from the School of Music point of view this describes basically what is my job. Is there any worry [laughter] this in the long term can turn away current tenure track faculty positions into this? And, you know, for example, the entire performance faculty of the School of Music fulfills this exact description and that’s certainly of great worry to me personally, but I imagine – does that strike anyone else or it must just be me [laughter] – as an easy way to eliminate as people are leaving? ‘Well, this could be a Professor of Practice position.’ Boom!

DOWELL: Alright, we have a couple of other people in Bloomington who wanted to talk, and I see hands at a couple of...I see hands at East, I see hands at Northwest. You guys can hold on a second. We had...
HENSHEL: No, that’s fine. So speaking from a school that has had a practice over multiple deans of doing this exact kind of thing but usually up to now bring them in as Clinical. Number one, whereas some of them clearly are what I would consider excellent in their profession, sometimes that excellence is a fudge line and it’s really more a matter of doing a favor for a friend, and also I think to be honest coming from SPEA, I honestly think that they should prove that they are good as teachers if we are going to keep them long term because there is very little oversight at this point coming into it. So the other point is I would like to have it be written down a little more clearly that there needs to be normal oversight for the hiring. That yes, these are unique kind of opportunity, but I think that it doesn’t mean there should be an excuse for a sort of doing it, what I would consider sort of sleight of hand and with a minimum of oversight from faculty.

DOWELL: Alright. Tony, did you have something too?

FARGO: Well, no, I was just going to add that kind of going to Diane’s point actually, I think part of the reason we have the provost or chancellor approval is to prevent kind of what you were talking about where basically somebody hires their buddy who doesn’t really have the, you know, the kind of credentials we’re talking about, but I don’t oppose Diane’s idea at all that we need some sort of input at the department or school level certainly, and I feel your pain in regard to whether you always get that or not before people are hired. The other thing I kind of wanted to touch on was a comment earlier about the idea that we’re kind of expecting these people to do two things that are excellent when we only actually require tenure-track to do one. The excellence in their profession is their entrée into the university but that’s a career change for them so once they get here the one thing that we would want to require them to do would be excellent in teaching but it doesn’t mean the excellence in their profession is part of what counts toward whether they get a long term contract. It’s how they perform once they get here, if I understand this correctly.

DOWELL: Yeah.

FARGO: So it wouldn’t be a case where they’re being asked to do an unfair amount of work, I don’t think, if I understand it correctly. Do I Tom?

GIERYN: Yes, that’s right.

DOWELL: Alright then Chuck, then Herb and then back to Indianapolis.

GALLMEIER: I’ll keep it short but I just want to confirm what our colleague just said that there were a number of people on my campus who kind of saw this as a first step in the way to eliminate tenure for people who are primarily evaluated on their teaching, so for what it’s worth I thought I’d throw that out there.

DOWELL: Alright, thank you. Herb?

TERRY: Yeah, I asked Tom if the School of Music had expressed an interest in this because I don’t remember him listing it as one of the ones that did that. And then I was hoping Joey would actually chime in as he did. I mean, I think that for as long as this has been percolating, I
have never heard the School of Music express an interest. But I’ve always believed that it would be likely that people who teach creative activities, for which there is an external marketplace whether it’s orchestra, musical performance, or in my case the ability to [comment indistinct] electronic media would be very tempted to replace their current creative faculty with these kinds of lines and that’s another reason I guess I say at the very least we need a percentage. But that’s a [comment indistinct] issue I have [comment indistinct] even if control [comment indistinct]. And as comments have continued I hope we can flesh out some of the things that we would like our provost or chancellors to consider in approving these things that might even add that they’re supposed to figure out whether it’s in compliance with the policies governing this rank and with the policies governing appointments to faculty rank at their campus. That would be some of the procedures, whether or not there was a search and screen, is it somebody’s buddy... At least in Bloomington we have some variation in those procedures at the departmental level. Some departments have policies that govern that and I wouldn’t want to override those departmental procedures but the [remark indistinct] which assures whatever they are, they are following them.

**DOWELL:** Alright, thank you. Now Indianapolis you had several hands up up there. If you want to just organize yourselves. [laughter]

**UNKNOWN INDIANAPOLIS MALE SPEAKER:** Just a couple of comments, at least some people had wondered about there’s no ranks. There’s only a Professor of Practice and a Professor of Practice sort of implies the highest rank and if you’re going to be judged as excellent in teaching at the professorial rank you have to have scholarship of teaching that’s ranked, that’s recognized nationally and internationally. That is a bar that you just don’t want to introduce into this rank, unless I am misunderstanding promotion and tenure standards for excellence in teaching at the professorial level. So I’m – I think Subah’s absolutely right that now they have to not only come in and do good teaching but then they have to transform themselves in six years to have scholarship of teaching that’s –

**UNKNOWN INDIANAPOLIS FEMALE SPEAKER:** – Education research and all that. –

**UNKNOWN INDIANAPOLIS MALE SPEAKER:** – understood at the national and international level. That’s just the bar that this rank is not supposed to – shouldn’t be expected to handle. So, that’s my comment.

**DOWELL:** Alright, other comments from Indianapolis?

**WINDSOR:** Yeah, going back to you’ve been doing it for a long time with Clinical track. Clinical track is rank. I don’t understand the rationale why faculty of Practice is not also rank. Another comment, because if you look at inconsistencies with other parts of the Handbook, on page sixty-seven, the appropriate classifications for non-tenure-track teaching faculty is Lecturers or Senior Lecturers. There’s other parts of the Handbook that will have to be amended so you have to look at issues like that.

**DOWELL:** Okay. Tom, do you want to...?
GIERYN: Heh. Well, that was just a few comments! I can respond to most of these issues and I want to thank everybody for their thoughtfulness. This is obviously a work in progress. I’m going to kind of take these in the order they come up but you know a couple of times the same issues came up from multiple people. The criteria for the provost’s consideration; I had, as I said before, I thought it would be in terms of the credentials and the case put forth by the academic unit much as we do it now. At least on the Bloomington campus, the provost approves positions actually at the point of invitation for on-campus visits. The provost gets a copy of the CV, the letters of recommendation, teaching credentials, and so forth and basically gives the go-ahead, the green light, to units to bring people in for tenured positions that would have tenure. I assume the process would work something like that and that part of your concerns about procedures would be addressed at that point, in other words – actually I’m very comfortable with adding language into the proposed policy that would set the procedures a little more definitively, that it should involve the support of the faculty in the particular hiring unit. I don’t know why we couldn’t add something like that. But that’s one of the things that the provost and chancellor would want to look at. Does this nomination of somebody for Professor of Practice have the support of the faculty in the unit or not. I would think that otherwise, do the credentials seem to suggest that the person is bringing something of value to our students? If the provost and chancellor can’t see that then they have reasons to go back to the unit and say is this person right for this type of rank. We can certainly change “program” into “academic unit.” General question about excellence in teaching; we actually went round and round on this one so it’s not that we didn’t give this our full consideration. What we ended up doing is adding a line to the section on page one, “Use of Professor of Practice Appointment,” it’s the second to last line, “Academic units who use this rank must develop policies that define expectations for ‘excellence’ in instruction.” Now, you could argue that those expectations for instruction or teaching for “excellence” should be the same across all ranks. I think the thought behind that particular sentence was that units would be free to define the expectations for this rank differently. That is, to define “excellence” in teaching in a way that is appropriate for somebody who has gone through this career change, who has a career in practice comes in. It may not require publications or the scholarship of teaching and learning or even national level conferences on teaching. I agree that’s a departure from how we define “excellence,” if it’s excellence in teaching for tenure cases or for appointments of Clinicals and Lecturers. Those can be, at least in Bloomington, different units define excellence in teaching differently whether they’re talking about tenure-track or non-tenure-track and I had assumed that that pattern would continue. It’s up to the units to decide what they expect. Why “excellence?” I don’t know. I decided that since we assume excellence in every other way that we vary the criteria, rather than saying, ‘Well, let’s impose the expectations of tenure-line faculty and say they only need to be very good.’ That didn’t make quite as much sense as saying let’s expect excellence, but define “excellent” in a way that’s appropriate to this particular rank. In terms of the 60/40 rule; absolutely the Professor of Practice being a non-tenure-tracked appointment would count on the 40% side and we can beef that up if you’d like with some language that suggests that that would be the case. The issue of how these people are going to be hired; well, what can I say? We already have target of opportunity hires now. We hire people who are not necessarily responding to an open vacancy and who do not go through the full search and screen process. They receive waivers from the Office of Affirmative Action and we hire them. Often times this is
in diversity goals. In other cases it’s a kind of a last moment post doc filling in. There are a variety of reasons why we might waive ordinary search and screen. In – I – in this particular case, at least the way in my conversations with the deans, most of them felt that this would be inappropriate for them to put out an ad. There’s nothing in the policy that would preclude them from putting out an ad saying they’re looking for a promotion – a Professor of Practice, but I think we assume for better or worse that most of these people that would come up for this rank would be people that would be considered target of opportunities. Whether they were known or buddies with the dean is immaterial. Or buddies with any faculty member for that matter. I think we assume that it would come that way. If in principle that’s a problem, then I think we need to talk that one through. If you want language in there that says it should be the result of a routine search and screen we can have it that way. I think that that certainly isn’t the way it was conceived by those who – those administrators who proposed the rank, but you know ultimately this policy is the UFC’s policy it’s not the deans’ policy. So we can talk more about that one. I’m going down my list. I don’t think in the expectations of excellence that we really have two. I mean the “excellence,” as the unit defines it, is going to be teaching. Service and even research is intended to complement teaching, as we do for Clinicals where service is part of the criteria, or even a Lecturer if they are doing some SoTL, research generally that’s defined as something that is complementing their portfolio in teaching. I assume it would be the same here, but again I think it is up to the units to define what excellence in teaching would be. The language of probationary period comes in because at the end of it there’s got to be a decision by year six whether or not you want to put these Professors of Practice on a long term contract. Whether it’s five years or a rolling three which is typically what we do for other non-tenure-tracked appointments that’s it. I believe that the language of probationary period comes up in the discussions of the other non-tenure-track ranks as well. Certainly I wasn’t trying to conflate the probationary period of a tenure-track faculty with that of a NTT, not at all, but there is never the less an initial three year hire. First contract is three years, then annual reviews up until the reappointment decision for long term contract which would happen in year six, okay? So I – what I’m trying to do for better or for worse is conform to what I think most campuses do with respect to Lecturers and Clinicals in that cycle of a probationary period.

**DOWELL:** Alright.

**GIERYN:** The elephant in the room is whether or not creating yet another NTT rank allows schools to hire non-tenure-track faculty in effect at the expense of tenure-track faculty. If we took that matter seriously, we might have thought long and hard when we created the ranks of Lecturer and Clinicals years and years ago. I – we’ve opened that door and the deans and provost and chancellors have run with it. If you want to argue that somehow the addition of this particular rank is going to open flood gates, I don’t think that’s what would happen. But it would be so appealing to deans that they would use it and they would use it in great numbers which would be, I suppose, deleterious to the ratio of tenure-track to NTT faculty, that’s a real concern. My sense in working with them is that this is not something that they expect to be used frequently. There are opportunities for such people. I’d be surprised if the numbers of Professors of Practice would become large. I expect them to be much smaller then both Lecturers and Clinicals, but I suppose somebody probably said the same thing when we created
those ranks. ‘Oh just a few Lecturers,’ ‘Oh just a few Clinicals,’ and now you know how many we have. So I think it’s a very real concern and if it’s that worrisome to this body then I would invite you to A) not only to look at this policy but to go back and consider what the creation of the Lecturer and Clinical ranks did to the faculty of the university and whether or not we’ve got problems with that. Frankly I think the marginal difference is going to be trivial, that most appointments of NTT’s are going to continue to be at the Lecturer, Clinical, and Research ranks. As I say, I think – really quite welcome to the idea of putting language in here that ensures faculty oversight during the hiring process. I think that is a really good suggestion. The policy needs it.

DOWELL: Tom, maybe we can open up for a couple more comments in addition?

GIERYN: I think I covered everything. Is there something I didn’t cover?

DOWELL: Indianapolis first, and then Diane here in Bloomington. So Indianapolis?

UNKNOWN INDIANAPOLIS MALE SPEAKER: Just a quick question about this search and screen kind of process. At least what he described was EEOC was involved in the waivers and so I would hate for this process not to have an EEOC kind of component or review or process. So I [comment indistinct] also is there any provisions if there were faculty already in place that would actually be more appropriate for a Professor of Practice for a transfer from a Lecturer or Clinical kind of appointment to a Professor of Practice?

DOWELL: Tom, do you have a quick response to that?

GIERYN: That came up, it’s a good question. I think the expectation is probably not because the definition of what we’re looking for for a Professor of Practice would really be somebody who had spent most of their career outside of academe so the idea that we could promote a Lecturer or a Clinical Professor to promote to Professor of Practice after having spent most of their career in academe isn’t consistent with what the policy is trying to do. But I could....

UNKNOWN INDIANAPOLIS MALE SPEAKER: Yeah, unless you hired a person with twenty-five years of practice into the Clinical rank?

DOWELL: Recently!

GIERYN: Recently, and I can see....

UNKNOWN INDIANAPOLIS MALE SPEAKER: Which we have done, which we have done. And we’ve done it...so...

GIERYN: And in those cases I think it would be appropriate to consider appointing them as a Professor of Practice.

DOWELL: Okay, Diane, here in Bloomington.

HENSHEL: Just as a – I have a question for Tom but I want to address this point first. I guess I’m a little concerned since the whole point of this is trying to attract people with that kind of
stature. If we already have them why do we want to spend more money and move them up to something that clearly is going to cost us twice as much? So I don’t see that that makes any sense to me, we already have them we don’t need to attract them anymore. Sorry that’s just my opinion.

PACKER: Makes sense to that faculty member!

HENSHEL: Well, of course, it does. That’s not the point. I guess I have an issue with the defining excellence in teaching differently. Does that leave us open to a legal challenge or to legal action by somebody who is in the regular tenure ranks and is trying to go up on teaching and feels like they are being judged unfairly or differently?

GIERYN: I wouldn’t think so because even though we have university standards in terms of excellence in one area and satisfactory in the others all of those are defined differently by the different academic units now. College, schools, departments define the particulars differently and that’s sort of what I am proposing would happen here. So I’m not sure, Diane.

HENSHEL: Well, I understand but we are talking about a university. You know in the same division if somebody feels you know there is a Professor of Practice that has been given the equivalent of tenure and somebody else is coming up for tenure through the regular ranks and says, ‘Excuse me but I do even more and I’m not being given tenure.’ Do you think that leaves us open to legal action? And I guess that’s a question I would like to hear from...

GIERYN: Barb?

BICHELMeyer: I think....

DOWELL: Yeah, I don’t know if people – can you hear Barb? – if she’s away, yeah, come up.

BICHELMeyer: What I was actually going to mention just because I understand this to be a first reading and there have to be, you know, some things addressed. That I think you might want to go back and check with John because the language was very familiar here when I read it in terms of Senior Lecturer and there’s been some clarification related to probationary period and what it means – what a probationary period means and what happens. I think the distinction between long term contract and tenure really needs to be highlighted in this regard and that actually led me to suggest that it might be good as more of an overview to the Academic Handbook to this section, that a table be created that says here’s what distinct about Professor of Practice, here’s what’s distinct about a Clinical, and here is what’s distinct about a Lecturer or Senior Lecturer position to clarify what tenure offers and what a long term contract offers. Because the point’s well taken and my last point was we need to run it all by General Counsel. In terms of looking at if there are any of those kinds of issues because I think it’s duly noted that we need to make sure and that gets back to the point about looking at the other parts of the Academic Handbook to see if it says something or has some impact on the language for Senior Lecturer or Clinical. So I think point taken of what we need to look at in that.
**DOWELL:** Alright, then if there are any other kind of final comments, I think we need to conclude this discussion and get on with the rest of the meeting. Subah, you wanted to add one more thing?

**PACKER:** Yeah, I just want to get back to this having a – maybe a Clinical-track person or Lecturer already present who’s doing the job description now of this new position and then not allowing them to convert to this new position because I think that gives the same kind of legal problem that you raised in the other direction. And because… and you even said that, you know, this would cost the university more to promote them into this position but in fact that’s the issue because for that faculty member doing that same work, why should they be compensated differently? So I think it will raise a big issue and I think we do have to discuss that and so if we have those very distinct job descriptions, if you will, then anyone who’s currently doing any one of those job descriptions can then arguably request that they be transferred into, you know, one of the other positions.

**DOWELL:** Tom?

**GIERYN:** One last comment I noted, the chart that Barb was proposing, we’ve got on this campus and it may exist on other campuses too, it’s a chart that shows for each of the non-tenure track ranks – Lecturer, Clinical, Research Scientists, RA’s, Academic Specialist – the probationary period, the procedures for promotion, length of contracts, and so forth. It’s a very useful document, but it turns out that though it’s grounded in the Academic Handbook that we all live by, the Academic Handbook is in fact interpreted a little bit differently on different campuses in terms of things like a probationary period, what constitutes a long term contract. So I don’t necessarily – I mean I think that’s a much bigger project if we could reconcile across all of the campuses how we define the other non-tenure-track ranks that would be a major achievement and maybe it’s something we should work on. What I’m a little concerned about is that we’re going to slow down the Professor of Practice initiative while we do that. Is there urgency? Well, I can tell you that the deans of the schools in Bloomington wanted this two years ago. They expected to have it this year. They didn’t get it. They really would like to have it next year. They’re faced with some opportunities that they would like to pursue some fine potential faculty members. So I think that that bigger set of questions about how we differently interpret NTT ranks is something that we should tackle at some point. I’d welcome it and I’m sure my counterparts would at the different campuses but I’m hoping we can go forward with this proposal independently of that.

**DOWELL:** Alright. Thanks, Tom.

**GIERYN:** Thank you.

**DOWELL:** Alright, we want to move on to item 5, Proposals for the Reform of the University Faculty Council.

**AGENDA ITEM 5: PROPOSALS FOR THE REFORM OF THE UNIVERSITY FACULTY COUNCIL**
DOWELL: You have in front of you a short, like page and a half document, that I drew up trying to think about developing a consensus for where we want to go with reforming the Faculty Council. Certainly we had a report, initial report from the task force that didn’t recommend a lot of change, kind of a counter proposal from Craig and I, that proposed some more significant change. This was an attempt to try to describe maybe something that most of us agree upon and I just want to share a few comments about a conversation we had with President McRobbie just before this meeting and then other people who were at the Agenda Committee Meeting just before this one can fill in things that I forgot. As described in item two a somewhat smaller Agenda Committee that would be likely composed of Faculty Council Presidents from all of the campuses. That’s something that as we knew already has a great appeal to President McRobbie. He’s very interested in having a small group that he can speak frankly with and perhaps institute regular meetings of this group with a selection of Vice Presidents and other people who are, you know, involved at the highest level of operating the university using this group as a conduit for faculty opinion and he says he actually regrets right now that he doesn’t have something like this to work with – a group like this – a small group. He very much questions the value that the larger UFC provides, particularly given our sort of lackluster attendance especially from the larger campuses, our problems obtaining a quorum of individuals to vote. He also find the quality of the discussions sometimes, I think more muted, than he sometimes gets when he’s talking to a smaller group of people where perhaps people feel more comfortable being frank and we’ve talked a lot about in person meetings that of course would occur and encourage some more kinds of frankness and discussion, and give and take easier than in a meeting like this, certainly. So he very much wonders what we should do with any kind of larger group and certainly we talked a little bit about the decision or the proposal or the idea that has floated in and out of various parts of this multi-year discussion? – I don’t know – year long discussion. We brought up the issue of question and answer sessions that I think was something that maybe Herb and Markus and Simon brought up in their original report. I don’t remember where it originated, but the idea that perhaps some larger groups could be joint meetings of the faculty councils from all the campuses, so an invitation to everyone who’s on their campus level to come bring questions, send questions ahead of time, and have some sort of open forum with the president, rather than large groups where we debate policy and rather depend on the individual faculty council presidents to take policies back to campuses and hash them out there. We certainly talked with the president about how there are lots of concerns or the expected concerns about openness and getting information about what’s going on in smaller group and what we’d be losing which we’ve talked about before certainly, but we might be losing in moving toward a much smaller group that in some ways would be a lot more functional, a lot more involved really in what the president is thinking about than what we’ve got right now. But how to do that in a way that respects everyone’s need to want to participate, and to want to understand what’s going on and not to feel that decisions are being made in a tiny group. We also talked about the need perhaps to – well, Barb actually said call the question – I don’t know if we’re going to call the question, because I don’t know if we have anything to vote on. Perhaps to have an online straw poll or something about some of these different aspects to really try to get a sense of the larger Council of, you know, who’s dead set against being smaller, much smaller, and try to manage sort of the – get a sense of what every individual thinks rather than feel like, is this a widespread feeling or is it the
feeling of some stronger voices and it may well be a widespread feeling but sometimes that can be hard to get in a meeting like this when we’re so dispersed and we certainly have plenty of members from both campuses – both of the big campuses – that aren’t here today. So that gives you a sense, I think, of what we were talking about in the Agenda Committee with President McRobbie maybe not any surprises there but he certainly would just as soon get rid of UFC as it now exists which may not be a surprise to anybody either and make it something that’s much smaller and in his opinion more useful to him. So we can comment on that, but we can also I think for right now, tell me if this document represents any kind of thing that is of general agreement. That’s also of interest to me because I am trying to see if we can drag all of this into all the diversity of opinion into something concrete that could gain wide approval. So comments? Starting Indianapolis.

HASSELL: I have a question. I’m relatively new to UFC so I don’t you know. I haven’t studied its charter, but is the purpose of the UFC to serve the president?

DOWELL: No. The purpose of the UFC – I mean I don’t have the constitution in front of me – no, it’s not to serve the president. On the other hand, the UFC has a vested interest in having a functional relationship with the administration of the university. But that’s a good point. No, we don’t exist to serve the president. Steve, here.

HASSELL: That seems to be what it was made out by him and what you just summarized.

DOWELL: Well, I was summarizing his comments and certainly that his, you know, his interest in the Council is to have it act efficiently and to – you know we often view the Council as a way to get interaction with the president and he’s looking for a certain kind of interaction that we’re not giving him right now. Now we don’t have to do exactly what he wants either, but it’s important to give his, you know, his perspective. Steve Burns, here in Bloomington.

BURNS: Yes, I mean in part my first comment reflects that. I haven’t been coming that long, but there wasn’t give and take, because I didn’t feel it was encouraged at the meetings when the president bothers to be here. But the other part of this that I don’t mind, is the smaller situation but I think this only dealing with one individual. What is the operation that makes sure that faculty diversity of opinions gets – in other words now you’ve got a group that’s going to be working closely with the president, but what is their relation to the faculty as a whole?

DOWELL: Right.

BURNS: And I don’t think you can solve one without solving the other. So I think it’s got to actually talk about if it’s the faculty presidents –

DOWELL: – Right. –

BURNS: – or whatever how they will then work with their campuses, their constituents to make sure that communication isn’t one-way.

DOWELL: Sure.
BURNS: So I think an ultimate solution has to do the whole picture.

WINDSOR: Erika?

DOWELL: Yeah, Jack in Indianapolis and then Elizabeth here in Bloomington.

WINDSOR: Yeah, the president made clear he thought this would enhance communication and that it would be up to the presidents, and I do that now when I meet UFC, go to the Trustees meeting, I carry that back to my Council and inform them what they need to know. So it’s enhanced communication in my opinion.

DOWELL: Elizabeth?

BOLING: I don’t really think there’s a risk-free setup. One of the things I would observe about a smaller Faculty Council would be that it would be an easier target for people in the general population of the faculty to be able to say if I get my view to that person that’s the person who’s going to represent it in this more agile conversation with the president.

BURNS: That’s part of what I meant by saying what are the communication lines? They have to be understandable to people.

DOWELL: Diane?

HENSHEL: I have two specific comments and one on this efficiency of communication point. Number one in the UFC membership, I would like to see more specifics before I ever consider voting for this.

DOWELL: Well, of course.

HENSHEL: I’m just commenting.

DOWELL: Yes.

HENSHEL: And on the meetings 2:30 to 4:30, I don’t know about any other campus but in my experience in multiple places 4:00 to 5:00 seems to be a hot time for either presentations, meetings, so I would want to move it so that you would – you know, if you’re going to move it move it a little earlier, just as a comment. And in terms of efficiency, I think we could use digital feedback for more effective and efficient feedback we could use anything from a blog or chatroom we could use email, group emails, emails that are summarized, I mean there’s a whole lot of effective means of providing means for people to see what is happening and provide feedback even in a timeframe that’s a little more appropriate to maybe what they’re doing on a daily basis that might allow for those lines of communication to open up even if we do shrink down the number of people.

DOWELL: Alright, thanks. Herb!

TERRY: Yeah, I certainly think it’s a good idea to try another task force and see if you can get something [comment indistinct] approve. I think today’s discussion about the policies on a new
rank demonstrate some of the risks of routinely empowering a small group to adopt or change policy. This presumably went through the current Agenda Committee and yet when it came to this group today all kinds of additional things came up that I think are important that and have to be resolved. I think in the past when we have talked about empowering a small group to do things we have always imagined that they be empowered when time was for some reason or another – and nimbleness – was of essence.

Dowell: Right.

Terry: But this draft tends to say they just would be routinely empowered to do any matter under the UFC authority [comment indistinct] but I think that removes a purpose for the larger body if you’re not careful about – if you go down that way, that path and maybe have a scheduled joint meetings of the Faculty Councils of all the university home campuses with the president but that would be a major change in the purpose of this body. The purpose of this body, as I understood it over the years, is not to serve the president it is to play a role in shared governance, the sharing of governance among the president and the Trustees and the faculty. And that’s what I think is at risk with a powerful president, which is what President McRobbie prefers. I think we have to stand up and insist that it is part of his job when he becomes President to work with the institutions of the faculty in shared governance even if there are things about those institutions he doesn’t like. I’ve served under many presidents at this university and all of them see faculty governance somewhat differently and to change fundamentally the institutions that the faculty has for expressing its views and developing positions on matters of concern across the system in response to this president seems to me to be going too far and I would urge us to respectfully listen to the president and decide the best way of gathering, representing the faculty’s opinion and in those areas under the constitution that are right of the faculty that aren’t shared in one way or another with the president –

Dowell: – Yeah. –

Terry: – that we have the mechanism where we can move, develop policy and express our opinion respectful of his views, but –

Dowell: – Right. –

Terry: – reflecting the [remark indistinct] of the faculty.

Dowell: I think also, what I wrote down here, you know, what I summarized here, as far as preserving a smaller group but still a University Faculty Council that’s of a significant size, you know, perhaps thirty people or something like that. It does also kind of point to these two different functions. I mean because we do have plenty of policy functions that it seems very strange to try to seat those in a group of just seven or eight people. Whereas consulting with the president and vice president seems like it could work very well in a small group. Policy development and approval I think the need for some kind of larger body seems to attach – in my mind – it attaches itself to those kinds of functions of the Council somewhat different from some of the things, the consultative functions that a small Agenda Committee could provide for this president. Other comments? Other people? Diane?
HENSHEL: In the conversation is there any reason why he doesn’t feel he can meet with the various Council presidents separately anyway?

DOWELL: No, I don’t think so. You mean right now?

HENSHEL: Yeah, I mean what...?

DOWELL: No, I think...and that’s why I think in the introduction there I say some of these changes probably could be accommodated without any... with you know procedural changes, you know? Right now we schedule the Agenda Committee meetings in a teleconference and then we have a teleconference without the president, we have a meeting with the president right before our real, you know, Council meetings – full Council meetings. We can certainly shift some of those things around without any change to bylaws or constitution and work to create something akin to what he’s looking for without changing the entire Council. On the other hand, we still have our standing issues of the entire UFC never having a quorum and needing to figure out how to actually function properly and to have meetings that we find rewarding and productive and so that may apply itself more to maybe some real structural changes. One follow up and then Laverne.

HENSHEL: If the issue is not having a quorum why don’t we just say that people that don’t attend a certain number of meetings aren’t on it anymore and that’s the end?

DETHLOFF: We do. We just don’t enforce it.

DOWELL: Yeah.

HENSHEL: Well... [laughter]

TARTELL: Wouldn’t they still then have to be replaced to still get a quorum? I mean that’s not reducing the number of people that technically exist. Right?

DOWELL: Well, but it’s half of the members, I think our quorum isn’t defined in a hard way it’s defined in a half of the membership and so I think Diane is right to a certain extent that there are things would could do with our existing policy and our existing documents that could help serve some of these changes that we want to see. I think there are others that we really seriously do want to change also. Laverne, you were waiting. You had a comment?

NISHIHARA: I think that the proposal to shrink the size of the Council by about a third seems like a rational effort to improve the chances that UFC will have a quorum. I’ll throw in there before continuing, it would be useful to us on the other campuses to hear whether we have a quorum or not, because I can only see five people [laughter] so I have no idea whether we have a quorum or not in most meetings. So I’ll throw that out there that maybe this will help with achieving a quorum. I also have a comment, now that I’ve thought about it more, somebody on the East campus who can’t be here today due to a class observation mentioned that if the Agenda Committee were to act on behalf of the UFC on any matter that Agenda Committee would have to be extremely open and minutes would have to be released very openly, very detailed minutes so that everybody could comment on the actions of the Agenda Committee.
And yet when President McRobbie expresses the desire to have a smaller group with whom he can consult and get recommendations from, a consultative or recommending body to whom he can speak openly, that implies that such a body would have to be listening to some very confidential things that could not be shared and I think a consultative body and a legislative body – I’m not sure how they could be combined that sometimes you’re a secret confidential [laughter] body [comment indistinct] extremely open. So I’m more familiar with the scenario of administrators having their recommending committees that function dissimilarly from the bodies that actually do legislation and they have to be extremely open. So maybe what the President is asking for, you know, understandable desire to get to consult faculty openly versus the legislative functions of UFC, maybe they’re not quite compatible with two things that are pretty important and maybe that’s the conflict that we’re seeing between the openness versus the need for confidentiality. I remain uncomfortable with the idea that an Agenda Committee could function alone without the larger body to help watchdog it and I’ll repeat what I said in Agenda Committee I don’t plan to go rogue and vote against the will of faculty at East, [laughter] but I have always thought it was dangerous to have just one person from a regional campus be represented because we watch each other.

**UNKNOWN MALE SPEAKER:** You don’t trust [comment indistinct]

**BUCUR-DECKARD:** I think we have….Erika?

**DOWELL:** Yeah? I’m sorry, I was making a note. Lesley, in South Bend?

**WALKER:** I just want to – I think the last couple of comments have hit the nail on the head. And that this is the sort of ideal, an executive power which is in the president and then this kind of idea of the legislative power which is what the Council is to do and you know and it seems like… First of all I have to say categorically here at IU South Bend we do not want to see the Faculty Council absolved – or not absolved – dissolved into the Agenda Committee. We find that that would be, you know, just not representative enough and I think just to – you know we really want to second what – Laverne’s analysis I thought was excellent in terms of, you know, these kinds of incompatible functions there’s got to be a way to give President McRobbie what he wants – this consultative body whether it’s the Agenda Committee or whether he constitutes it differently. And then I think the second task is, you know, trying to get the Council to work more efficiently. I think that’s a very separate issue than per President McRobbie’s needs. And I think that finally I think that it would be a good thing even if McRobbie did not want to come to the UFC big meetings that maybe he could at least set aside half-an-hour, twenty minutes, to be available to the Council to just answer questions and maybe he doesn’t want to sit through the whole policy discussions and those kinds of things. Those can be summarized for him, given to him later, but I do think you know it would be a good idea for the President to make himself available to the Council in a large sense you know just at least to ask questions, answer questions.

**DOWELL:** Sure. Alright, thanks Lesley. Okay, any final wrap-ups? Obviously the Agenda Committee will talk about this and figure out our next steps, which as Herb mentioned is likely some new task force who can take what we’ve got so far and make something of it. Hopefully
quickly! Either that or I’ll just keep hammering away at it myself, so... [laughter] Any further comments or wrap-up? Move on to our final agenda item... Oh, Steve! Yes?

**BURNS:** I just would comment and I think the idea of – if there are adequate summaries – allowing people to vote sort of asynchronously is a good one and the trick will be making sure that there is an appropriate asynchronous information. We don’t want people voting without information.

**DOWELL:** Right.

**BURNS:** But there are needs, I think, for that, so...

**DOWELL:** Okay, agreed. Herb, yes?

**TERRY:** I just remind you that when Simon and Markus and I thought about the Faculty Council, one of the things that was most important to us was getting the Council and its committees to work collaboratively and that was why we proposed the reconstituting of the Agenda Committee that included leaders of the Council’s committees so postponing the discussion of the standing committees might still leave that question unresolved of how do you get the Council’s leaders and the leaders of the committees working together. So I’m not so sure that deciding at this point that we don’t know what to do about the standing committees or that we can’t bring them –

**DOWELL:** – Well.–

**TERRY:** – up to the point where we can discuss them will work.

**DOWELL:** I was writing this document as things that I thought we have consensus on and I don’t think we have any consensus on standing committees, so I left it off. I didn’t mean that it should be put off forever, but yes, that is an important point. Okay, any other final wrap-ups? Alright, let’s move on then to item six, “Sunset of the Family Leave Policy,” and Maria Bucur is here, who’s been leading our efforts to negotiate this issue.

**AGENDA ITEM 6: SUNSET OF THE FAMILY LEAVE POLICY**

**BUCUR-DECKARD:** Thank you, Erika. I had thought that maybe some of the stuff that we’ve been working on had been circulated, but I’ll just present it orally, okay.

**DOWELL:** We do need to circulate it soon though, I mean...

**BUCUR-DECKARD:** Yes. Yes, and we are fortunately, I think, almost there with the report. What I’ve been doing over the last few months is trying to allay the misapprehension that the Trustees seem to have about the unchecked growth of this leave in terms of the numbers of people who are taking it and the so called cost. I will say, “so called cost,” because in fact the only numbers that we have about the policy are salaries that were paid to personnel who were taking these leaves, salaries that had been already budgeted in the RCM units, and therefore they are not an additional cost to those units. They are simply salaries paid out to people who in fact during the period of their leave are not doing their regular work that they would be
otherwise. So that cost is perceived by the Trustees as being a cost in that sense that there’s no productivity on the part of the beneficiaries but in fact in terms of the units that administer these leaves, I have been hard pressed -- and I have in fact asked very directly different deans and other unit directors, chairs -- about what -- so how much exactly did you have to pay to cover for these leaves, and in all but one case of SLIS where the dean of SLIS could actually tell me that he had to pay $4,000 to replace somebody over a semester. So the only actual cost aside from the salary that are being paid for people that I know of is the cost of $8,000 to SLIS this year.

TARTELL: That’s outrageous!

BUCUR-DECKARD: It is outrageous as you rightly said [laughter] in so many ways. So what I’ve been focusing on is trying, you know, to some extent – I don’t want to say you know – twist the reality but in fact offer the correct perception of a misperception that had been built up by a previous report that Neil Theobald did last year which showed – in his report what the Trustees saw was a 40% increase in the number of leaves and the equivalent in the amount that was being paid. The correct representation of that growth has to be seen in relationship to the total number of people that is actually eligible each year and so what we have between 2005 and 2011 is an outrageous growth of maximum 0.75% this year, 0.75%, it’s under 1%.

BURNS: Of eligible?

BUCUR-DECKARD: Of eligible faculty. So the growth has gone from 0.26% in 2006 for a total number of fourteen persons taking this to 0.75% to a total forty-four persons taking this. Crazy. And we also did the percentage of growth which goes to the question of, you know, are we talking about something that’s going up or it’s leveling off or what do we have? So the percentages of growth are as follows: in 2006-7 the percentage of growth of leaves was – stop the presses – 0.03%, right? Pretty flat. The highest we have in the last five years is 0.19% in 2008-9, the first year of the new leave, and what has happened over the last two years is that the growth has leveled off to 0.07% this year. 0.07% is, I would say, not a troubling rate of growth...

BURNS: Is that growth or utilization?

BUCUR-DECKARD: Of growth in utilization. So we’ve gone from 40 persons to 44 persons in this last year out of 5,867 that are eligible.

HENSHEL: But how – and what’s the percent of growth in the faculty? So is this a percent...is this a per capita correction or not?

DETHLOFF: No.

BUCUR-DECKARD: No.

DETHLOFF: No, it’s not. Because the faculty did not increase by the numbers that it has in previous years.
**BUCUR-DECKARD**: So that’s where we are with the use of it in terms of numbers of people taking it. We also did a gender breakdown of the leaves. I thought it was important to understand and we checked it and indeed it’s true that there is a very clear slant to the use of this policy. That when it comes to care giving, women are overwhelmingly those who need to take these policies. So what we did is to show the percentage of women that are eligible out of the total population, and then to compare that to the percentage of women out of the total leaves and the relationship goes between 100% women taking the leaves in 2005-6 to the lowest of number which is 2006-7 which is 50% but it’s gone back up to 61% this past year. By and large the discrepancies are really huge in terms of how much the women are overrepresented in terms of the leaves vis-à-vis the eligible population. This past year women were 40% out of the total population, and yet they took 61% of the leaves, right? So that is a kind of pretty good picture. In other words those who are going to be hit hardest if the change happens are women. There is another gender aspect to it that I’m going to get to in just a second. We finally looked at the question of total cost in terms of expensive of leaves. What has happened in the past three years since the leave has changed is that in addition to having more people take it, we have had a growing number of people who make over $100,000 take it as well. And the number of people who’ve taken it over the past few years who make over $100,000 is not large at all. It’s gone up from four people in 2008-9...hold on a second...if I have that I think I only have percentages at this point....to fourteen people this year, I think. Is that what we have?

**DETHLOFF**: Yes.

**BUCUR-DECKARD**: Yeah, so it’s from four to fourteen, right? The rate of growth of the percentages paid out to this population has gone – so the percentages has gone from 22% of the population – sorry, of the payments – in 2009 to 38% in this year. So to be clear forty-four people take the leave, eleven are paid that much, they count for 30% of this cost. If you look at the graph...I mean you know...this...

**DOWELL**: Well...

**BUCUR-DECKARD**: ...you’ll see it soon, but basically what we see is that in every year where this population making over $100,000, right? – who’s taking the leave, the percentage that they eat up out of the total given out far exceeds the percentage of recipients out of the total leaves. Equally interestingly, men...

**UNKNOWN MALE SPEAKER**: [comment indistinct] follow all this.

**BUCUR-DECKARD**: Sorry...

**DOWELL**: I was going to say we might want to –

**BUCUR-DECKARD**: – So basically what is going on is, I think the ultimate argument that we are going to be making is that the growth in payments of salary to faculty taking this policy which has taken, you know, has gone up in the last three years in a sense can be accounted for by the arrival of these expensive leaves, basically, of which...
**WINDSOR:** [comment indistinct] perspective.

**BUCUR-DECKARD:** ...of which women are between 4% and 18% –

**HENSHEL:** – Oh, really? –

**BUCUR-DECKARD:** – in terms of – yes.

**HENSHEL:** And those are mostly men?

**BUCUR-DECKARD:** And the rest are men.

**HENSHEL:** Well, that’s interesting.

**BUCUR-DECKARD:** It’s an interesting pol – it’s an interesting finding I was not – I didn’t know that until about a week ago when I got all these – this information. So now let me tell you what we anticipate discussion. Erika and I are to meet with Neil Theobald and John Applegate next week –

**DOWELL:** – Yes. –

**BUCUR-DECKARD:** – Monday and we will be presenting this information to them. They are I think looking for ways to keep what we have in the policy as safe as possible, but they’ve also signaled that some changes might be necessary in order to preserve the rest. And one of the issues they brought up as a maybe, maybe, maybe would be eligibility. Yes?

**HENSHEL:** Why not just a cap?

**BUCUR-DECKARD:** That’s what I would like to suggest, is to say if the rate of growth is highest among those who are making over $100,000 putting a cap at whatever we decide is a legitimate – what I was thinking is under $100,000 – so something like $27,000 and call it $30,000 just to have it rounded off as the cap would then, I think, allow us to claim as a projection that the growth of payments would be kept in check so we wouldn’t have this exponential growth. But even if more people who are making more money are taking this leave you’d still be able to count on it not costing more than, you know, that cap. That’s what I would like to propose. I’ll say to you that having done the calculations of what the difference would be between the old and the new – let’s say the current policy and the cap – if we did the cap for the last three years, right? It would be between $20,000 and $30,000 difference, alright? But if the Trustees don’t ask that question, I’m not putting that in the report.

**HENSHEL:** I would put it in.

**BUCUR-DECKARD:** Well, that’s not that much saving, I mean...

**HENSHEL:** Well that’s my point.

**BURNS:** Right.

**BUCUR-DECKARD:** Right.
HENSHEL: That’s exactly the point.

BURNS: The whole program isn’t that much savings...

TERRY: Could you repeat that figure? You went dead.

BUCUR-DECKARD: I said $20,000 to $30,000 maximum savings.

TERRY: Thank you.

BUCUR-DECKARD: Yes.

DOWELL: But it gives, I mean, in some ways I think we’re fighting, you know...

BUCUR-DECKARD: A political battle.

DOWELL: A political battle that we need to give a sense that there are some kinds of extra controls perhaps on the policy. Diane?

HENSHEL: One thing you haven’t reported maybe it would be useful because our budgets increasing at the same time as an overall campus as we are increase both students and faculty is to put this as a percent of the total budget of the university.

BUCUR-DECKARD: I have that, too, and it’s like 0.04%.

HENSHEL: But how much has it changed?

BUCUR-DECKARD: Not a lot, no. The growth is not high.

HENSHEL: In other words it’s just as a proportion as you’d expect of a growing faculty and yet therefore...

DOWELL: Yeah.

BUCUR-DECKARD: Yes, thank you, that’s a very useful thing.

HENSHEL: ...it’s really not a growth at all.

BUCUR-DECKARD: Yeah, that is in fact the case.

DOWELL: And so you know, we’d like to keep this policy just as it is and in our meeting next week with John and Neil is to see what we think we can get administrative support for, because I think that’s the key to – what we want to do is when this comes to the Trustees have it be kind of a done deal. That it’s all hashed out and we know that President McRobbie will say yes this is what I want and Neil will say – Neil probably more importantly – will say, ‘Yes, I am okay with this. I think this provides the income protection benefit that people need when they have these kinds of medical issues in their family and it’s not going to be, you know, an undue kind of financial exposure for the university.

HENSHEL: Can I just ask one more question?
DOWELL: Yeah

HENSHEL: What does the law require now in terms of federal law?

BUCUR-DECKARD: There’s no payment attached to the law.

HENSHEL: At all?

BUCUR-DECKARD: It’s just...

WALKER: (indistinct comment)

BUCUR-DECKARD: ...leave.

DOWELL: Twelve weeks of leave.

BUCUR-DECKARD: And...

DOWELL: Just a moment, Southeast, we’ll get to you.

BUCUR-DECKARD: If we sunset as you can see in the policy if you looked at it, that means we revert back to the two-thirds pay up to fifteen weeks.

DOWELL: Right.

BUCUR-DECKARD: And the fine print there is that the fifteen weeks are not guaranteed – two-thirds pay for fifteen weeks is not guaranteed – it’s up to the units that are administering this so it makes it, you know, problematic from the point of view of say a junior faculty member who’s untenured...

DOWELL: Right.

BUCUR-DECKARD: ...who’s taking this.

DOWELL: Okay. Southeast please, Rick?

FRENCH: [comment indistinct] also I like the idea of leaving it as it is also, but if we do have to make some modifications that involves a cap...

BUCUR-DECKARD: Yeah.

FRENCH: ...I’d recommend we put some kind of inflation adjustment on it so that that cap is not just a static cap that stays the same over the next fifteen to twenty years.

BUCUR-DECKARD: Oh, that makes a lot of sense. Thank you, thank you, I appreciate that. The devil is in the details.

DOWELL: Alright, we have hands up in South Bend.
WALKER: Yeah, can I just express how anxious this – how anxious our faculty is – I’m chair of the Foreign Language Department and it is extremely difficult for us to do planning into next year as not knowing about this policy. I mean one of the things I would like to – maybe you could appeal to someone which would be, I mean – and it’s supposed to end June 22nd I believe is when this sunset clause ends.

BUCUR-DECKARD: July 1st.

WALKER: And then we’re…what….?

BUCUR-DECKARD: It’s July 1st but…yes, same thing. Yeah.

WALKER: It’s July 1st, okay. Alright, so I mean as chair of a department with, you know, a young would-be mother, I cannot plan for next year not knowing what’s going on. I mean I think this – I mean I would appeal to everybody that we at least get another year of the current policy in place so we can plan and if they want to sunset it out, they’ve got give us, you know, nine months at least… [laughter]

DOWELL: Well...

WALKER: At least a year. I cannot stress strongly enough how it is impossible to plan if you are head of a department with untenured people who are also having families.

BUCUR-DECKARD: I should say that I’ve heard from Tom Gieryn on this issue as well, that people are contacting him.

DOWELL: Right.

BUCUR-DECKARD: To inquire whether they should have their babies before – [laughter] I kid you not – July 1st or not.

DOWELL: Well, and then frankly...

BUCUR-DECKARD: To make sure they can benefit from the current policy.

DOWELL: Frankly we – I have to take some blame for where we are at this, too. I mean we probably could have got this done a little bit faster, but you know I understand the problems it’s causing and we’ll see what we can do. But we didn’t get moving as fast as we wanted.

BUCUR-DECKARD: We’ll certainly take this concern that you have to Neil and to John.

DOWELL: Yes, we absolutely will.

WALKER: Yeah, I mean, is there no way that, you know, given the fact that the policy has not yet been clarified that it at least stay in place as it is currently written for the next academic year and if they need to change it they change it for the 2012-2013 year? I mean, I don’t think that is an unreasonable request.

DOWELL: Well, we can try to negotiate that.
**BUCUR-DECKARD:** I certainly think that what you say makes a lot of sense. I think it’ll be helpful to have something in writing. If you can send us an email about that...?

**WALKER:** We have something from our Faculty Welfare Committee –

**BUCUR-DECKARD:** – Please? –

**WALKER:** – is very concerned about this.

**BUCUR-DECKARD:** Thank you.

**WALKER:** And I’ve even had a couple of chairs have talked to me so I can send you a paragraph.

**BUCUR-DECKARD:** Thank you so much.

**WALKER:** I’d be... Okay.

**BUCUR-DECKARD:** We need all of the ammunition that we can get.

**WALKER:** Okay.

**DOWELL:** Alright, Indianapolis were there hands up before that we didn’t get to? No? Okay, then Herb in Southeast.

**TERRY:** I would not expend a lot of ammunition trying to get the one year extension because I believe for good reasons that Neil, at least, is already predisposed to that. That he realizes that the Trustees agendas are slipping that they will have to – that the April agenda is more or less set – the May meeting they have to do budget. I think he will be receptive to the idea that the Trustees should be urged so that everybody can proceed with planning, to keep this, even if they don’t like it, in place for one more year and then move forward with changes.

**DOWELL:** Okay.

**TERRY:** I don’t think you’re going to find opposition from him on that if you go in and say that’s something you want.

**DOWELL:** Okay.

**TERRY:** Reserve your ammunition for the alternative. [laughter]

**DOWELL:** Okay, well that’s very interesting, Herb. Thanks.

**TERRY:** The schedule and the way things are slipping and people having to make decisions and all of this can’t we talk the Trustees into leaving this for one more year and putting whatever change comes in the following. I think he is predisposed to think that’s fair.

**DOWELL:** Okay, good.

**TERRY:** Any change is bad for individuals and bad for planning. So I would hope he would do that.
DOWELL: Okay.

TERRY: That’s what...as far as I can go...he’s....

DOWELL: Okay, great, that’s good to know. That maybe they’re receptive to that. Steve, here in Bloomington?

BURNS: As you’re doing scenarios to present, I would compare the two-thirds, which is the old system, to the cap. My bet is they’re pretty comparable. It’s hard to tell the numbers now but you’ve done that.

BUCUR-DECKARD: It’s the high, yeah. I’m trying to use the cap. It’s still high

DOWELL: I mean what’s similar is if we changed it from ten weeks to eight weeks, so two-thirds pay for fifteen weeks is very similar to full pay...

BURNS: For ten.

DOWELL: ...for eight...

BUCUR-DECKARD: For eight.

DOWELL: For ten – I’m sorry for ten.

BUCUR-DECKARD: For ten?

DOWELL: And so it’s two-thirds of the period but full salary rather than the full period and two-thirds the salary. And so it’s very, very similar. That’s another sort of you know –

BUCUR-DECKARD: – Potential compromise. –

DOWELL: – two character compromise that you may or may not approve of, but immediately adjusts the cost to a certain extent although the policy is still more appealing to take as a full pay but we’re the one class of employees that does not have, you know, that doesn’t bank sick time or other kinds of income protection that they can store up and use in other instances. This is a very generous policy but it’s also something that if it doesn’t actually protect your full income for at least some period of time it’s not every useful policy for individuals to take advantage of.

BUCUR-DECKARD: And you know in all honestly for those who are teaching through the semester as opposed to you know, librarians, for instance, ten weeks might be the same as [whispering] twelve weeks. I didn’t say it. Ummm something.

DOWELL: Alright. Any other wrap-up comments? We’ve got just a few minutes left in our scheduled time today. We just want to let you know what’s going on and that some compromise might be possible although I am very happy to hear Herb say that the possibility of a one-year extension that would be wonderful breathing room to have and would also be essential for these planning purposes so cross our fingers on that and comments in wrap-up?
Alright then I think we are adjourned. Thank you everyone and send comments or other things you think of to me and we’ll make sure they get to the appropriate people.