September

10 September 2008

Faculty Council Meeting

WTC

Members present: Harvey Boller, Mark Bosco, Rich Bowen, Heather Cannon, Tony Cardoza, Janis Fine, Marc Hayford, Nick Lash, MariJo Letizia, Hugh Miller, David Posner, Vikram Prabhu, Gordon Ramsey, Hannah Rockwell, Hank Rose, Bill Schmidt, Peter Schraeder, David Schweickart, Allen Shoenberger, Noah Sobe, Sandra Urban.

1. Meeting called to order at 3:09 p. m. Janis Fine provided the invocation.

2. Approval of minutes from the August retreat: moved by Hank Rose, seconded by Heather Cannon; approved 19/0/2. Approval of minutes from the 7 May meeting: moved by Tony Cardoza, seconded by Gordon Ramsey; approved 18/0/3.

3. Chair's report: Miscellaneous items: Gerard McDonald asked about approval of the meeting dates for AY 2008-09. David Schweickart asked about about meeting once a year at LUMC; the response was probably not. We still need a new chair of the Awards Committee. Heather Cannon will be our new webmaster. BUGS: the Provost has already chosen people for this year. We will start the election in December, with FC elections to be held thereafter at the usual time. The Faculty Convocation will be this Sunday; GM will present the Faculty Member of the Year Award to Jonathan Wilson (Theater). Nick Lash asked about the allegations regarding mistreatment of animals at LUMC, wondering whether FC should look into it. Consensus was that we should at least find out how it's being dealt with.

Breakdowns in Shared Governance: the Behavioral Concerns Team and Information Security proposals were both turned down by FAUPC, but the administration went ahead and implemented them anyway. GM suggested that in both cases the people involved simply misunderstood the process, but nonetheless these proposals were approved (by whom?) when they should not have been. They went from FAUPC through UCC to the administration, with negative recommendations that were ignored. UCC will get involved. FAUPC's concerns not terminal, but others might be? Regarding the IS/Data Steward issue, the software is not working; there were 8000 (eight thousand) false positives on the Math chair's computer alone. Encrypting the hard drive is the answer, in theory; but this doesn't work on Linux/UNIX. BCT: Linda Heath seemed to think that it was OK. We were reminded that all faculty are supposed to have seen the online training video by now.

SSOM compensation: should we invite SSOM upper administration to explain? Consensus was that they neither would nor could do so. John McNulty is unsure whether he is on the SSOM Compensation Committee, or indeed whether that committee exists at all. HR suggested we should ask Walter Jay and Tony Castro before inviting SSOM

upper admin. to speak to us; GM agreed to do this.

4. Committee reports: Nick Lash on dean evaluations: should people identify themselves as clinical or TT faculty? NL said no, so as to protect anonymity. Rich Bowen seconded the motion. Discussion followed. GR asked whether there would be any additional information to be gained from separating clinical and TT faculty? NL said probably not. Tony C. said that this might be the case when there are few clinical faculty, but when there are many, it might be useful to understand what their concerns are. NL wondered how we would set a threshold number or percentage. Gordon suggested that faculty's clinical or NTT status might be apparent from their comments? Janis Fine said possibly, possibly not; in the School of Education clinical faculty have different concerns; their jobs depend on dean's approval rather than peer review. So they'd have different concerns in reviewing deans. DS suggested leaving it to the discretion of the chair of the committee. NL asked if $n<20$, then it would be a concern? Noah suggested that 10 might be a better number, and proposed an amendment: abolish distinction if $n<10$ in a given school. Motion seconded by Mark Bosco. Tony C. called the question . Motion passed, 18/0/3.

5. Old business: DS brought up the proposed amendment to constitution so we can amend the constitution; the point is to allow electronic as well as live voting. As the minimum number of FC members to amend the constitution were not present at the meeting, DS reintroduced the motion for voting at the next meeting.

6. Faculty Handbook draft, yet again. Peter Schraeder said that we do now have the redline version, but there were many changes, including moving many sections, so the redline version is not as clear (and therefore informative) as we might wish. Pat Simpson will go through it in detail; herewith summary of her preliminary findings: 1) many word changes, most trivial; 2) many changes involve moving things to improve flow; 3) some substantive changes, especially on discipline, the grievance process, and faculty appeals, which have been changed radically; 4) FC and FAUPC were taken out of dean and program reviewing. FAUPC will get all 4 versions (Paul Jay's original, Fr. Garanzini's, redline, Pat Simpson's marked-up version). FAUPC will start from Fr. Garanzini's version to (re-)make changes. FAUPC will meet on 17 Sep to begin to go through chs. 1-4, esp. 4 . Bill Schmidt asked if FC approved interim grievance procedure (yes), and was it incorporated into this? HR said that FAUPC adopted same, which is still in effect. The new FH version(s) amend same. HR objected to using Fr. G's version, since Paul Jay's version was already the product of negotiation between faculty and administration, so that's what we should use, because it's already a product of joint effort. The Jay draft was already vetted by faculty; nobody (except us) has seen Fr. G's version. Gordon pointed out that University Counsel hadn't seen (or at least said anything about) PJ draft, so we can't ignore Fr. G's version.

HR said that Fr. Garanzini had indicated that librarians are at-will employees. Allen Shoenberger said that this was not new. HR said that the point was to treat librarians as NTT, but now they have no rights; was this forced by LU legal? HC said that LU librarians have annual contracts, but LUMC librarians don't. Several FC members

expressed strong disapproval.

Peter S. said that FAUPC had to choose a version to work from, practically speaking, and so they agreed to use Fr. Garanzini's version. JF said this was also important strategically. HR asked if faculty be able to comment on this new draft, which contains significant changes? One important change: in the Jay draft, any faculty member facing discipline could have input; Fr. G's version, faculty cannot have input or respond. This is a total lack of due process. A faculty member can appeal, but cannot respond up front. Peter S. said that FAUPC will look closely at this. HR asked if faculty at large should have the opportunity to review Fr. G. version. GM asked, who decides? FC, or FAUPC? HR said FC can at least recommend.

RB pointed out that this is a potentially flawed document; eventually it becomes our contract; so we *must* have full hard copy text, because of the huge possibility for abuse otherwise (if there are just URLs, they are all too easily changed). GM agreed, and added that any update should also be communicated to faculty *in writing*. Harvey Boller asked Pat S. if FAUPC would send document (Fr. G. version), once received, to the whole faculty? Pat said if we did it'd never end. HB said this may be true, but procedurally it's unbelievable. FAUPC is supposed to advise President; but here the President drafted a document, which FAUPC is now returning to the President that wrote it. Since this is problematic, FC should get involved, because of the apparent disregard for procedure and SG. Hugh Miller agreed, citing a tenure review appeal case in which he was involved where online documents had been modified; the administration said that it was a matter of procedure, not policy, and that the former could be modifed at will. So Rich's paranoia is entirely justified.

Tony said it was important to remain focused; FC should continue supporting FAUPC vigorously, rather than getting whole faculty involved again. AS said we should do this to save everyone time and embarrassment before it goes to full faculty (if it does). JF agreed, and said we should do it quickly. There are obvious specific things that need to be fixed, and this can and should be done rapidly. Peter S. will forward all 4 versions through GM to everybody. AS pointed out that the 1993 version still exists. GM said we can and should compare it too. HR said that this is negotiation between faculty and administration, so all should be involved. Tony remarked that most faculty don't have time to deal with it, so FC should act as its representative in this matter. NL said that if we send it to the entire faculty, we should also have a 1-page document indicating the big problems; otherwise it'll be a disaster. Peter S. said that most people didn't comment last fall, and that the majority of comments came from FC anyway. Hannah Rockwell asked if there are any lawyers on FAUPC? Answer: yes, Susan Mezey and Harvey Boller. Hannah R. said that they should have a look, and make sure that changes are couched in appropriate legalese.

GM proposed that FC should organize and prepare a focused response, by/at the October meeting. Noah: we shouldn't duplicate FAUPC's effort. GM said that FAUPC sends it to UCC (= us), so we will get info/feedback. Peter S. said that FAUPC will meet on 17 Sep. and 8 Oct. AS pointed out that previously, if FC did not agree that X was the

final text, then X was not the final text. This is a faculty contract, and we represent faculty. HR said that now it's FC, FAUPC, UCC, and the President. Would Fr. Garanzini approve a FH that FC did not approve? Mark proposed that we ask Fr. Garanzini to come explain to FC. DS agreed with Allen, asking, should FAUPC recommend that FC must approve FH? If not, then the President needs to explain why. GM said he has said this to Fr. Garanzini, who hasn't said no. We can just focus on issues, find out what his thinking in principle is, and go from there. GM suggested that we invite him in November, after developing list in October. Chris Wiseman will be there too.

7. Sabbatical Policy: DS reported that last spring FC recommended a sabbatical policy to FAUPC; FAUPC recommended it unanimously to the President; then, over the summer, the dean's council expressed opposition, the President may have changed his mind, and the Provost may be coming up with a counter-proposal. Should we tell faculty that FAUPC recommended it? All thought it should go forward. GM asked whether we should we meet with the Provost. AS seconded the motion. Hannah R. asked whether the proposed policy would apply to all faculty, or just CAS? DS said it would apply to all Lakeside faculty, plus nursing. Passed unanimously.

8. FC agenda, 2008-09: See above. HR said we should push the faculty compensation issue. AS said he discussed with LUMC people the idea that the Faculty Status Committee should look into same. We haven't ever had data, but could get it. HB seconded the motion, which passed unanimously.

meeting adjourned 4:51.