

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
 Faculty Council Meeting
 September 1, 1994
 Law School, Room 116
 3:30 - 5:30 p.m.

Administrative Members Present: Chancellor Gerald L. Bepko, Dean William Plater. **Administrative Members Absent:** Vice Chancellor J. Herman Blake.

Deans Present: John Barlow, Barbara Fischler (Director), Roberta Greene, P Nicholas Kellum, Angela McBride, Alfred Potvin. **Alternates for Deans Present:** Rose Fife for Walter Daly, Barbara Wilcox for Donald Warren, Darrel Bailey for Charles Webb. **Deans Absent:** A James Barnes, Trevor Brown, H William Gilmore, Kathy Krendl, Norman Lefstein, John Rau, William Voos, David Stocum.

Elected Faculty Present: Margaret Applegate, Darrell Bailey, Henry Besch, Patricia Blake, Timothy Brothers, Paul Dubin, Howard Edenberg, Elizabeth Evenbeck, Karen Gable, Carlos Goldberg, Linda A. Goodine, Stuart Hart, Dolores Hoyt, Juanita Keck, M Jan Keffer, Raymond Koleski, Stephen Lalka, Eric Long, James McAteer, Dana McDonald, Lynda Means, Richard Meiss, Debra Mesch, Byron Olson, William Orme, Nasser Paydar, Michael Penna, Richard Peterson, Rebecca Porter, Ken Rennels, Norris Richmond, Margaret Richwine, Edward Robbins, Carl Rothe, Jane Schultz, Akhouri Sinha, Charles Slemenda, David Suzuki, Karen Teeguarden, Jeffery Vessely, James Wallihan, Kathleen Warfel, Richard Wyma, Charles Yokomoto. **Elected Faculty Alternates Present:** Karyl Robb for Jeanette Dickerson-Putman. **Elected Faculty Members Absent:** C D Aliprantis, Biagio Azzarelli, Timothy Baldwin, Merrill Benson, Diane Billings, David Burr, Timothy Byers, David Canal, Lucinda Carr, Michael Cohen, Gayle Cox, Michael Dalsing, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Henry Karlson, Robert Keck, Missy Kubitschek, Stephen Leapman, Bernard Morrel, Michael Sadove, Brian Sanders, Richard Schreiner, Lee Schwecke, Jeffrey Springston, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Susan Zunt.

Ex Officio Members Present: Barbara Cambridge, Janet Feldmann, Edgar Fleenor, Paul Galanti, Martin Spechler, Richard Turner. **Alternates for Ex Officio Members Present:** David Frisby for Virgie Montgomery. **Ex Officio Members Absent:** Ronald Dehnke, J Vannoy Faris, S Edwin Fineberg, Carlyn Johnson, Robert Lehen, Martin Spechler, Richard Turner, Karen West, Student Representative.

Visitors Present: Trudy Banta (Institutional & Planning), Erwin Boschmann (Faculty Development Office), J. M. Brown (Sagamore), Dr. Vicki Burdine (IU Department of Psychiatry), Brian Mohr (Sagamore), Jennifer Pease (Office of Admissions), Greg Wright (Assistant Director, IUPUI Alumni Relations).

AGENDA ITEM I - CALL TO ORDER

TURNER: I would like to call this meeting to order.

AGENDA ITEM II - MEMORIAL RESOLUTION

TURNER: As the first order of business, I would like to call your attention to a memorial resolution for Marion Ruth Magee which is attached to your agenda for today. A copy of that memorial resolution will be sent to the family members as requested. I ask that you rise for a moment of silence.

Before we move on to the next item of business, there are a couple of matters of physical layout of today's meeting. We have had some trouble in the past with the minutes concerning the increased number of "unknown speakers." This is not because the members have been hiding their identity, but because from the front table we can't always see your name cards. Therefore, we would like to ask those of you who are speaking to identify yourselves at the time you speak so that your name will be picked up on the recorder. We have also installed a microphone in the middle of the room so that we can record your comments more accurately.

CHUMLEY: Please do not move the microphone because it is set in a certain position to pick up certain areas. If it gets moved in any way, it will not pick up your comments properly. Thank you.

TURNER: Also, with the placement of the microphone in the middle, there is a wire running along the floor. Please be careful to not trip on the wire as you walk back and forth. I would like to take this opportunity to welcome our new Parliamentarian. Professor Henry Besch has agreed to serve as the parliamentarian for this year.

AGENDA ITEM III - APPROVAL OF MINUTES

TURNER: The next item of business is the approval of the minutes of February 3, March 3, April 7, and May 5, 1994. The minutes of February and March were circulated earlier and the April and May minutes are attached to today's agenda. Are there any changes?

BEPKO: Often when something is said that is intended to be humorous, the Secretary notes "laughter" after the statement. In the May meeting there was something that was intended to be humorous, and as I recall did provoke some laughter, but the word "laughter" was not written after it. I would not want to have somebody read these minutes months or years from now and think that this was a serious statement. The statement was in recognition of Dick Fredland for his great service as President of the IUPUI Faculty where I said we appreciated Dick as President, but we also were very much appreciative of his being on leave to Africa and also in Maine a couple of years ago because while he was gone we created three new vice chancellors' positions and some administrative posts. He thought that was hysterically funny. At least he laughed. I would like to modify the minutes by placing the word "laughter" at the end of that comment.

ROBBINS: On the May 5 minutes, although I was present, I was listed as absent. Secondly, on page 9 as I was making a report on the Fringe Benefits Committee there was a malfunction on the tape, and although the discussion that was lost was probably not important, there were two actions which took place that I think are important for the record. I would like for the record to reflect the two recommendations made by the Fringe Benefits Committee. The first one supported fixed dollar contributions across the various levels of the PCI Healthcare Plan by the university. That recommendation was passed by the Council. The second recommendation concerned the elimination of the \$300 deductible in the PCI Plan. That recommendation also was adopted by the Council. Those two proposals were subsequently incorporated into our Healthcare plan. I think it is important for us to record that the Fringe Benefits Committee and the Council were in support of those two modifications.

FISCHLER: The May 5 minutes, under Alternates Present, showed David Lewis for David Lewis. It should have been David Lewis for Barbara Fischler.

BEPKO: Only during the summer would so much attention be paid to the minutes. [laughter]

TURNER: Are there any other comments? All in favor of approving the minutes, say "Aye." Opposed? The minutes will stand as approved as corrected.

AGENDA ITEM IV - MANAGED MENTAL HEALTH CARE

TURNER: If we could move on to the next agenda item which is a report on Managed Mental Health Care by Dr. Vicki Burdine.

BURDINE: Thank you for the introduction. As stated I am a psychiatrist in the Indiana University Department of Psychiatry and President of Indiana University Psychiatric Management.

As you are aware, Indiana University Psychiatric Management will begin to cover mental health and chemical dependency on September 15 for IU employees covered by the PCI plan.

Indiana University Psychiatric Management is a managed mental health care company developed and administered by the IU Department of Psychiatry. It is a wholly independent corporation outside of the university. The development of this company was in response to current marketing drives both nationally and locally.

The current health care market is being driven by cost containment. Consumers and employers are interested in obtaining quality care in the most cost effective manner. This has driven the marketplace to develop a broad spectrum of "managed care" strategies, which are driven by cost containment.

In the mental health arena this frequently translates to limitations in benefits and denial of services. The Indiana University Health Commission felt that containment of the rapidly escalating mental health/chemical dependency costs could best be achieved by case management of services rather than limitation of care. They knew that increased provision of mental health benefits would lead to increased medical costs, increased absenteeism, and increased loss of employees which would offset any potential gains. They also were aware of three basic principles:

- (1) Healthcare reform is occurring no matter what happens in Washington.
- (2) Managed care is the product of this reform.
- (3) Unless we as clinicians assume leadership in how managed care develops the patients will suffer.

Therefore, IU Human Resources department and IU Psychiatry Department have worked to develop a company which can manage cost by a case management system while increasing the benefit coverage provided to employees. I have spent much of my time over the last year learning about current models and the best ways to administer a sound program.

This benefit package and case management will focus to allow broader usage of outpatient services and less intensive levels of care than inpatient. The current benefit package drives toward inpatient utilization.

The company is administered and run by clinicians who will work to assure adequate care to individual patients. The framework is one of contracting with a network of providers and facilities in each campus geographic area. These providers were largely sought from current providers of care with an effort to limit the scope of the network to allow case management to provide adequate supervision of cases. There are also contracts with local facilities/hospitals.

Case management will be in the nature of obtaining treatment summaries from providers on each patient treated. These treatment summaries will contain patient diagnosis and proposed treatment modality whether it be psychotherapy, medications, or other treatment. The case managers are psychiatrists, psychologists and social workers well experienced in a broad modality of treatment strategies. These case managers are employed by IUPM. All records of patient care will be kept in IUPM's database and files. We will function as an independent insurance company and, in fact, market to other employers. IU's Human Resources Department will only have access to the same information on employee care as they do now which includes patient name, number diagnosis code, number procedure code, and cost. These records will not be available to any other university or outside sources. Confidentiality is of the utmost importance in mental health care.

We have tried to develop a model which can accomplish three goals: (1) Cost containment (or decrease of current inflation rate); (2) Quality Care (Case management to assure qualified practitioners are practicing current acceptable modalities of treatment (chiropractors, family practitioners, etc.); (3) Broader provision of services at a less intensive level of care (allowing individuals to obtain treatment before their illness (i.e., depressions) worsen to the point they require hospitalization or are in danger of harming themselves or others.

I will be happy to answer any questions you may have.

P. BLAKE: Last spring when this came up we asked why you would not incorporate the nursing psychiatric clinical specialists, masters prepared in any of the independent practices.

BURDINE: We have.

P. BLAKE: But they are not on your list.

BURDINE: They didn't apply. All of the nursing people that we have had who have applied -- masters level nursing -- have been licensed in as social workers.

P. BLAKE: That is what I am saying. There are people who have not gone out to become a social worker who are licensed who have third party payment and they are not on the list. I don't know how you marketed that when you were looking for this group.

BURDINE: We started with the population who was currently serving. The providers who were currently serving our patients. We also disseminated it through some of the practice groups that we were looking at. I think there are in fact some master's level nurses in one of the groups that we are currently in negotiations with, but, as I said, all of the applications we have received so far have not had master level nurses but we are willing to accept any applications in any of the areas.

P. BLAKE: Nursing had professional master-prepared practitioners as well as the medicine school and we should be promoting both.

BURDINE: It is listed in the provisions that those individuals are covered on our plan.

P. BLAKE: Thank you.

APPLEGATE: I was curious. On the inpatient and outpatient care, what kind of shift was made? Where do these monies come from? Was that increased contribution to the plan or was that...

BURDINE: It is going to cost them the same amount that it costs them over the last two years. But, they pay that to us on a monthly basis and then we pay each of the network providers. We are just doing the cost shifting longer by hoping to drive. The benefits which you had were 10 outpatient visits, you now have 20. There is no longer any deductible, but there is a co-payment at each visit.

MEISS: I heard you say early on that there is no deductible. But, if the present comprehensive packages have a deductible how it can there be no deductible?

BURDINE: The deductible is for the medical portion of the plan. We don't have a deductible. You will not accumulate a deductible under the mental health or chemical dependency portion.

SPECHLER: Among the objectives that you mentioned and with which I agree, I did not hear freedom of choice. It is well understood in the area of mental health confidence in the provider is very favorable to the outcome. What assurance can you give us that people with an established relationship with somebody will be able to continue? What kind of credentials are not acceptable to you for someone whom the patient has chosen.

BURDINE: First of all, let me address our transitional plan and the plan of in-network and out-of-network to explain that to some degree and then I will get to the credentials. We have a transitional plan whereby, I am sure all of you received a summary that you could send to your practitioner to send to us so that we can on an each patient basis decide if they should continue with that therapist, if we should invite that therapist into our group, if we should ask them maybe to shift to in-network or to make a decision. We also have in-network and out-of-network benefits. The out-of-network benefits costs more but you can see someone who is not in our network and we will pay for those services.

SPECHLER: But not at the same rate?

BURDINE: Not at the same rate. The provider network that you have now is only the initial provider network. We still have people sending in applications, people sending in contracts, we are still going through credentially and looking at each of these.

SPECHLER: A master's degree in psychology offered by Indiana University, these are not acceptable?

BURDINE: Master's degrees of psychology are fine, but those people have to be licensed and most of them, at least the applications that we have had, are CCSW licensed. They are licensed as social workers. We look at each of those individually.

ROBBINS: I have a technical question. When you began your presentation, I thought I heard you say your corporation was assuming the administrative responsibility for that PCI Plan that Accordia now administers. I assume you were referring only to the mental health.

BURDINE: Yes. Only the mental health and chemical dependency.

TURNER: Thank you, Dr. Burdine.

AGENDA ITEM V - "THE LAST BLAST OF SUMMER" - GREG WRIGHT

TURNER: Our next agenda item is a report on "The Last Blast of Summer" by Greg Wright, Assistant Director of the IUPUI Alumni Relations.

WRIGHT: I would like to tell you about an event that is taking place on September 3rd here on the IUPUI campus in conjunction with the WENS fireworks display that takes place down on the river. IUPUI and the Office of Alumni Relations are sponsoring what we call "The Last Blast of Summer". It is a semi-annual event. We are changing a few things around this year. Some of the features that we will be having are live entertainment by Dr. Bop and the Headliners which will begin at 5:00 p.m. and again around 6:30 p.m. There will also be tailgating competition, fun and games activities for the young children, and an open house tent. I have tried to distribute as much information to a lot of schools and organizations on campus to participate in to have a booth or whatever to pass out information on their particular school. This is free to the public and we have been publicizing throughout the campus with flyers and brochures. We have been advertising on WKLR and WENS. We are trying to make this a fun event to promote IUPUI and its schools and organizations and other things here on campus. There has also been a softball match lined up between the administrative office and the students. Is that correct?

BEPKO: That is correct.

WRIGHT: I believe that begins at 2 p.m. and I think Chancellor Bepko will be participating as well as the people in External Affairs.

BEPKO: We are looking for volunteers to play on our team. *[laughter]*

KEFFER: Do you need some health care providers standing by? *[laughter]*

BEPKO: We may need mental health care providers. *[laughter]* If we keep notes of the softball game, the word "laughter" would be used quite often. *[laughter]*

PETERSON: I heard a rumor about a dunking tank for administrators? Is that going to happen? *[laughter]*

BEPKO: That is not correct. *[laughter]*

TURNER: Thank you, Greg.

BEPKO: First we have someone new to the Faculty Council meetings. We were pleased earlier this year and continue to be pleased that we have a new dean for the School of Social Work. Roberta Greene came to us from the University of Georgia at Athens where she was associate dean of the school. I would like for you to join me in welcoming Roberta. *[round of applause]* We also have the person present today who can take particular pride in this appointment -- Barbara Wilcox, chair of the search committee. Thank you, Barbara. *[round of applause]*

You may have read over the summer that we have a new dean for the Herron School of Art. He will not be joining us officially until January 1. His name is Robert Shay. He is chair of the art department at Ohio State University in Columbus. The chair of that search committee is here, so you can thank John Barlow for the work that he did. That is the search committee chair corner up there. *[referring to the two search committee chairpersons sitting together at today's meeting]* *[laughter]*

Also, I would like to say a word of congratulations about something that happened already this academic year. We had a truly superb new faculty orientation program. I think it was the best ever. Some of the new faculty made a particular point of expressing to me and to others what a truly excellent program it was and how warmly they felt that they were being greeted and welcomed into the IUPUI family. For that, special thanks goes to Bill Plater whose leadership for this faculty development program in general has been so good, Erv Boschmann who supplies another level of leadership for this kind of program and does an excellent job, and Lyn Means who is the chair of the new faculty orientation program this year. I think this is something that we should all be proud of. I don't think any university in the country has a better program to welcome people to the faculty and I am very proud of it. So, thank you. *[applause]* I would like Bill to give you an overview of enrollment for the fall term.

PLATER: I am happy to give a preliminary and tentative report. This is not final until tomorrow, I believe, at which time the official data will be released. It is still subject to correction. The good news is that we have not had as significant a decrease this year as we did last year. The bad news is that we have had an overall decrease both in student credit hours and in headcount. Subject to correction, it appears as though we have had almost a three percent decrease in the number of students. The final count of all of IUPUI, including IUPU Columbus, should be about 26,760 or in that vicinity. The student credit hours are down by a smaller percentage -- about two percent -- which means that the students are perhaps taking more credit hours than they have in the past year when we had the reverse; that is, the decrease in student credit hours was greater than the decrease in headcount.

The enrollments document with which we are most concerned are within individual schools. Most of the schools have remained fairly constant or steady with last year. Two schools in particular have suffered enrollment decreases that are of continuing concern. The School of Liberal Arts has had another decrease. The School of Engineering and Technology seems also to have a decrease. Most of the other schools are about constant with last year. There is a decrease in the number of students in the Undergraduate Education Center. We are not certain at this point whether this is a matter of retention or a decrease in the number of new students, but that will be a matter of considerable interest as we are able to analyze the data. We will make fuller reports available to the Faculty Council and, in particular, the Student Affairs and Academic Affairs committees as the analyses become available.

BEPKO: A couple of other items from our offices. First, each year we begin the year as we end it talking about the reviews of offices of administrative officers in the university. What I would like to report is some bad news and some good news. The bad news is that these reviews, in the view of most people who have been involved with the process, are taking too long. We have reviews from 1993-94 that are not yet finished, so we can't make a complete report on the last academic year. We have in mind some reviews for 1994-95. We will make all of that available by memo as is our practice at the October meeting of the Faculty Council. The negative part of this is that things are taking much longer than we ever thought they would. There is a certain restiveness about the procedure and the amount of faculty time that has been devoted to this or is being devoted to this. We are going to streamline the process a little bit without changing its basic character for 1994-95.

The good news is that we have succeeded in less than four years in catching up to the schedule for these reviews. When we began this process, just about four years ago, that is we began discussing it four years ago, and adopted a policy statement on this subject in December, 1990, we were worried that it would take us a long time to catch

up and to have reviews of all the officers on a five-year schedule as were contemplated by the original policy. As of right now, we are caught up. We have reviewed all of the offices of deans and nearly all of the offices of campus administrators who have served for four or five years. We are actually now starting to look at how this cycle will move forward from here. We will have a report on the 1993-94 academic year and the plan for 1994-95 at the October meeting.

Secondly, you will hear a few things this year about changes and developments in the central University administration. First, you will hear more about "Total Resource Management." This is an effort that begins with the Trustees of the University trying to identify excessive reserves that have accumulated. I know that sounds like something that could not happen, but in fact, in part through the system of Responsibility Center Management, there are more different offices than can hold money over from year to year and the result is that across the University the year end reserves that are carried over from year to year have been larger in the last couple of years than they were before. This is good in one sense and reflects careful management and proves judgments about how to keep reserves so that there is funding for projects that are anticipated in the future, but it also has the effect of showing up in state budget reports and it makes it look like we are hoarding. It may be in some cases that we could do a better job of putting the money to work. The result is that the Trustees have urged some sort of system for reviewing these reserves and that is the subject of the Total Resource Management plan. It is going to result in more information being made available more widely about money that is carried over from one year to the next. I suspect that you will be hearing more about this as time goes on.

Third, there is going to be some additional attention paid to the definition of system schools. There will probably be some examination of this through task groups over the next six months or so. The schools and the task groups haven't yet been announced. We are the home base for a number of system schools and I suspect that there will be, other than Medicine, some examination of system schools and what they mean and how we can manage them better in the interest of the whole University.

Finally, you may have heard that there are some new appointments that were made as Myles Brand took the presidency of Indiana University. I have a memo that was sent to chancellors. This memo was forwarded to all deans and directors but it may be that the distribution system does not reach everyone, therefore, I have enough copies of the memo that you can pick it up on your way out if you would like. Ken Gros Louis, the Chancellor at Bloomington, has been named Vice President for Academic Affairs. This is to take some of the responsibility that Tom Ehrlich, as President, exercised himself with respect to things like promotion and tenure, academic program reviews, curriculum revisions, accreditation, and things like that.

Judy Palmer has been retitled Vice President and Chief Financial Officer to reflect her duties in the financial realm. Erita Hill has been given the additional title, in addition to being Chancellor at IU Kokomo, of Chancellor Liaison to the Office of the President. The reason for this appointment I think in general is that at the staff meetings of the President there was no regional campus chancellor. I sat in those meetings as Vice President but there was no chancellor from a smaller campus and Myles Brand wants to have one of the smaller campus chancellors in the staff meetings. That is what the title Chancellor Liaison represents.

Next, I have been given a new title as Vice President for Long Range Planning. It reflects some expanded responsibilities that will focus on strategic redirections of the University to respond to the changing environment in higher education. A need to take a different approach to planning for the future of IU, one that will be coordinated and comprehensive throughout the eight campus system. It will include things like developing strategic initiatives in cooperation with external constituencies, studying clusters of issues that mix academic operations and financial policies such as tuition policy and financial aids. To review the relationship between the Indiana University Central Administration and its campuses. You can read the memo and comment about this in general. Needless to say, it is extra work but it will not affect the energy or the enthusiasm that I hope that I am able to bring to the campus responsibilities that I also will continue to have.

Lastly, there is a suggestion that is being discussed right now and considered that you will hear more about but I would just offer for you today. At the suggestion of Kathy [Warfel] and Richard [Turner] that has to do with our approach to undergraduate education. We have been talking a lot about undergraduate education in recent years,

particularly general education at the undergraduate level. This year we have the excellent work of a Commission on General Education and lots of people involved in that discussion right now. It is coming to a head this year. We will be focusing on that a lot. Hand in hand with that is a suggestion that we address the public concern over the time that it takes to complete the baccalaureate degree. Nationally, 43 percent of those matriculated in 1990 completed their undergraduate degrees in four years. Eighty-one percent of those who began in 1988 had completed their degrees in six years. That is all universities. If you look only at public universities, somewhere between 15 and 33 percent of those who started in 1990 completed their degrees within four years. In the view of people in the public arena, this creates an extra demand on facilities and an extra demand on faculty. The longer students are in the process the more burdens that creates. And, it also delays the entry of those graduate into the workforce. Some of this has obviously been beyond our control. There is a problem of lack of academic preparation. Students must take remedial courses before they can begin their regular academic work which delays everything. Some of it is a result of financial problems. Students stop out or take reduced loads because of their own financial difficulties. Some students are happier in school than confronting the job market both for bad reasons. Some of them might be hiding here. And, for good reasons. Some of them might be exploring the life of the mind that we are here to provide for them. There may be very good reasons why students are happier in school than they are outside. Some of these delays may be a result of curricular changes, scheduling problems, not being able get classes, and untimely or sometimes even poor advising during the process. All of this suggests that it incentives be created for all of us to try to move students on a more directed, and maybe faster pace through our undergraduate programs. I think the discussions in general education will help there. There has been some discussion initiated by Myles Brand that we may wish to challenge ourselves in some bold way to eliminate obstacles and to provide more direct and more rapid paced progress toward completion of baccalaureate degrees. One of the suggestions that will be considered is a guarantee to students that start, and I think that this is applicable first to Bloomington, but a guarantee that if all is done in accordance with the policies of the institution, and if there isn't some self-generated delay on the part of the student, that a student would get free education beyond four years if they were unable to complete their degree within those four years. That is, you would study for four years and if through some problem that is based more on what goes on in the institution, than it is based on what goes in the life of the student then anything beyond the four years would be without cost to the students; that is, without tuition payments. As I said, this is being considered at Bloomington because it is something that applies mostly to full-time students, although there could be a part-time counterpart. You could measure instead of four years, you could measure in terms of credit hours over whatever period of time the student was enrolled. In any event, in recognizing (TURNED TAPE AT THIS POINT) there will have to be some modeling of all of this to determine what it really means. Some of that modeling has already been done to see how long students have actually taken to complete their degrees at the Bloomington campus. More of that kind of information will be made available as we discuss this.

There was a hope that we could put this on our agendas and talk about it in a relatively short period of time during the fall term and give our reactions as to how it might work here at IUPUI during the Fall semester. That is why I think that it is something that should be put in front of you today. It will be referred to the Academic Affairs Committee of the Faculty Council after this meeting unless there is something that comes from the discussion here that suggests otherwise. You understand the basic proposition. If you look at a full-time student, you would say "You should complete your degree within four years. Unless you the student change something along the way that will cause delay, such as you drop out. You have to take a series of remedial courses before you start to gather academic credit that will count towards a degree. Or unless you change your matter nine times, then you should complete your degree within four years. If you don't complete your degree within four years, if you have studied as a full-time student each semester, taking the requisite number of hours, and if it turns out that because you haven't completed some requirement that was within our control to make available to you, then we will accept the responsibility as an institution by providing the courses that you need at the end of that four-year period to complete your degree without charge."

KEFFER: (Could not understand)

BEPKO: Not in any public institutions. I read not long ago where DePauw University of Indiana had already made this announcement and was making the commitment to students who entered in the Fall.

PETERSON: As a requisite to that, you would want to have a tuition that was a full-time tuition rate rather than a credit hour tuition rate that is available to our full-time students who want to take advantage of this.

BEPKO: At Bloomington there is a flat fee.

PETERSON: We don't have that here. It makes it easier at Bloomington to do that kind of thing than it would here because we would have to establish that flat fee for a four-year period.

BEPKO: I think it is possible to do it without the flat fee, but the flat fee has created an incentive for students to take more hours and to finish their degree programs faster because there is a financial advantage for doing so. You can take as many as 18 hours and pay the same as if you took 12 hours. The fact of the matter is that in Bloomington the average per-student credit hours taken has gone up.

EDENBERG: Although I agree with the general idea of encouraging students to finish in a reasonable time, it struck me as curious that one of the rationales was that the "hanging on" of students requires more faculty and resources, because a student must take the same number of credit hours to graduate. You can take a certain number of credit hours and spread it out over four or six years, and in the steady-state it does not really change the number of courses or faculty required.

BEPKO: I think that is true. I think the emphasis may be more on facilities, but I think there is a general assumption that, if it takes people six years to complete a four-year degree, it is going to cost more because people are there longer and will consume more of the institution's resources over six years than they would in four. That may be an assumption that is open to challenge in some specific ways, but I was giving you a public reaction rather than a definitive argument.

DUBIN: Since touch-tone negotiations was instituted, I no longer see my counselees. I was wondering how I am supposed to guide them to a speedy completion of their degree if I don't see them.

PLATER: How about inviting them to your office to meet with you? Registration is not the only time for advice.
[laughter]

SPECHLER: This is a question, Jerry, about the line of authority for tenure and promotion dossiers -- a very important matter. One that caused quite a lot of controversy last year and one that has been referred to our committee for some type of legislation. Now, Myles Brand's memo caught my attention for this very reason. As I understand it, the implication of the Brand memo is that all promotion and tenure dossiers from this campus will now go to Ken Gros Louis in addition to your office, but, that promotion and tenure dossiers from the Bloomington campus will go to you only when you are in line of authority in that system school. That would represent a change from the legislation though maybe not from the practice of what has gone on in the past. This has proved to be a much more sensitive issue than we thought originally.

BEPKO: I think that in terms of the routing of files, you are right. But, in terms of the function that is being performed, I think I would look at it in a little different way. I think what Myles Brand has judged is that he did not want himself to be the provost who did a final review before the tenure recommendations went to the Trustees. This is something Tom Ehrlich did himself and something I think had been done in different ways by the President of the University for as long as there have been multiple campuses of IU. Indeed, at some points along the way, I think there were referrals because presidents didn't want themselves to be the final reader before the Trustees of all the files. I think Myles would not like to have to do all that as Tom Ehrlich did and wished to have somebody take some of that responsibility as a system officer. I think if you recognize that there has to be some reading by the person who is transmitting those documents to the Trustees, as has always been the case, then anyone could be tapped to do that. The fact that a person has a campus responsibility as well as a university responsibility is nothing new in the IU system. That is what has happened here. I think that it is a very reasonable way of not having Myles read every one of these things himself. Although he may read lots of them. I don't know what his taste will be in that. We won't know until we get to the first round, but I don't think it is really all that different from what went on before. As a matter of fact, Tom Ehrlich asked advice on files and referred files to

many people. I did that. Bill has been consulted on cases for other campuses. So, it is not altogether unusual that advice is sought. I think that is more the way this system will work.

KOLESKI: This is in relation to the business of students finishing their degrees in four years. I am sure that both the students and we would cheer that idea. Undoubtedly, parts of the university set up barriers that hinder students from finishing in four years. I agree that we should do everything possible to remove such barriers. However, I do not accept that the university is primarily responsible for delayed graduation. Public sources of funding are subsidizing less and less of the tuition of students. Funding sources for grants and scholarships are not keeping pace with the increasing cost of tuition. Students are thrown more and more on their own financial resources in all universities, but particularly in a university like IUPUI. Consequently, many have to work more and more hours on jobs to both live and finance their schooling. They cut back on credit hours taken and stretch out their education significantly more than four years to get their degrees. If students take a substantial number of loans to get through school, they may wind up with debts exceeding \$20,000 or \$30,000 or \$40,000. Many of them will spend a good portion of their lives paying lenders and run the risk of never achieving the American dream of owning a home.

Another point! There is just more to learn now in almost every academic and professional field than there was a generation ago. It seems as though students are pushed harder to absorb more than in the past. This, along with many having families to which they have obligations, puts a good deal more stress on students than in days gone by. Most of us in this room had a luxury in the past that current students can't share with us. We had more time and financing from others while being required to learn less. They have less time and financing from others while being required to learn more. We should strive to graduate our students in four years. But, with funding patterns emerging as they are, the prospects look even more bleak for increasing the percentage of four year graduates as we move into the future.

BEPKO: I think that is absolutely right. I think that this topic for consideration assumes that if a student decides to learn and not take as many hours, then the guarantee doesn't apply. That is the choice of the student. We can't control that.

BARLOW: We have to define a full-time student. The minimum credit hour load is 12 hours per semester. At the rate of 12 hours per semester, even five years doesn't allow for enough credit hours to graduate.

BEPKO: I think we have to define full-time for this purpose as 15 hours. In fact, even 15 hours won't get you to the total credit hours for degrees in some disciplines. So, you would need 15 and one-half.

TURNER: I think, if I may, ask that we hold off. We will get to discuss this when the Academic Affairs Committee report is available later on. We need to get on to our other agenda items.

AGENDA ITEM VII - PRESIDENT'S REPORT - KATHLEEN WARFEL

WARFEL: Thank you. It is good to be here today. I am so happy to see Richard Turner sitting in that chair down there. I hope you will all be very nice to him. My predecessor in this chair, Dick Fredland, was a very smart and wise fellow and it was his point of view that the President shouldn't say very much at Faculty Council meetings because the President has chances to spout off in all sorts of arenas and this is really the time for the Council to be able to have good discussions. I think that he is right. However, I have a couple of things I would like to say.

Over the next two-year period one of the things that I will try to work for is help everybody who is making some sort of an effort to increase the campus life here at IUPUI and anyone who is making an effort to foster unity at IUPUI, and pride in the campus. I hope that most of you will join me in those efforts. In that spirit, the President of the Undergraduate Student Assembly, the President of the IUPUI Staff Council and I have gone together to sponsor an IU T-shirt design competition which we hope may become an annual event. If you don't want to submit a design yourself for the contest, if you would share this information with your students, fellow faculty members and staff members in your area, we would appreciate it.

Regarding the more business oriented agenda items for this year, we think we have some very serious and important work to do. I hope that we can get a lot of it done this fall. You remember we were working diligently on the major issues that have come out of the TFFAA report and we will continue to do so. As the months pass, it becomes clearer and clearer how important it is for us to have agreed upon written procedures for dismissal of faculty and that is our number one agenda item for this fall. There is also our discussion of the concept of post tenure review that is in our near future as well as a few other items from the TFFAA major issues list.

Other important agenda items are the clinical ranks, removing the cap, and extending that to the non-health schools -- very important to many of us -- and this will be a major point of discussion this fall. Also, important items that are being addressed are the Status of Women, the Status of Minorities on the Campus, particularly beginning with the status of women faculty and minority faculty. I think that the work of the last several years related to productivity and faculty work will continue and we will have to pay more attention to that. Then there is the issue of General Education principles which is next on our agenda. Those, in my view, are the important items of business that we will be addressing. I guess I can't stress enough how important I see it is that we move ahead as quickly, as thoughtfully, and as carefully as we can, especially on some of the earlier ones I mentioned. That is all I have.

TURNER: Are there any comments or questions? [none]

AGENDA ITEM VIII - COMMISSION ON GENERAL EDUCATION REPORT: EDWARD ROBBINS

ROBBINS: My report will be short. The Commission officially completed its work this summer and you will receive a copy of our final report in the next week or two.

The report provides a brief overview of the work of the Commission these past three years and a more detailed review of activities this last year. Covered are the efforts of eight interdisciplinary Working Groups -- one for each of the general education principles previously identified by faculty participating in Commission organized symposia and study groups. Also included are descriptions of the efforts individual academic units have engaged in to address general education issues.

The Working Groups were charged to review the principles, with the option of recommending their modification or elimination; to develop expanded explanations of the principles; to identify possible strategies for implementing the principles; and to suggest the types of evidence that might indicate the effectiveness of those strategies in achieving the principles.

The Working Groups were also asked to survey the undergraduate units to determine what general education initiatives, if any, they were engaged in and to consider how those initiatives might relate to their own efforts. The final report describes the Working Groups' responses to these charge.

The report closes with an optimistic look to the future. The Commission is convinced that the efforts of these past three years provide the foundation for the next phase of the general education initiative. We feel the locus of effort should now shift to the academic units where, in the final analysis, the authority for academic programs resides.

The Commission is confident that the collaboration and conversations that have characterized our efforts provide the context in which the academic units can identify not only the course and non-course based strategies which are most appropriate for their programs, but which also reflect a campus perspective for general education.

Recent activities provide evidence that this shift is already taking place. It is stimulated by the work of the many faculty who have been involved in our process, and is widely supported by both school and campus administrations. Although our official task is completed, all of the members of the Commission are committed to continuing their efforts to support the general education initiatives. Members of the Commission were: Barbara Cambridge, (English), Scott Evenbeck (Undergraduate Education Center), Christine Fitzpatrick (Engineering & Technology), John Kremer (Psychology), Raima Larter (Chemistry), Ed Robbins (Education), Rick Ward (Anthropology), and Marie

Wright (University Library).

TURNER: Are there any questions or comments?

AGENDA ITEM IX - CONTINUED MAJOR ISSUE DISCUSSION

TURNER: The next item on the agenda is a follow-up of the continuation of the major issue discussion -- in this case, the dismissal procedures. The Executive Committee is following up on the discussion the Council had last spring on dismissal policies for incompetence. They have made some suggestions and made some revisions in the policy. Kathy Warfel has agreed to take us through the discussion of that issue.

WARFEL: This packet which you may have picked up on your way into the room begins with a sheet that is to inform us [or remind us] of where we are in the process of coming up with written approved dismissal policies. Remember that, according to University policy, dismissal can occur in cases of incompetence, misconduct, and the extraordinary financial exigency of the institution. Last year we started consideration of Draft Document #19 which had dismissal procedures for tenured faculty and librarians for both incompetence and misconduct situations. That Draft Document #19 was replaced for discussion purposes by the so-called "long version". "Long" because it was on longer paper. Then there was a motion to divide the discussion of the incompetence and the discussion of the misconduct which we did as a Council. We then spent several meetings talking about the incompetence procedures and gathered an extensive list of concerns. We ran out of time before we actually passed it.

The Executive Committee had all of the minutes and the list of concerns and now present to you what we hope will be a final draft of the procedures for dismissal in cases of alleged professional incompetence. This reflects exactly the document that we were working on with the things that have been stricken (shown by ~~strikeout letters~~) and the things that have been added (shown by bold letters). I don't think we should discuss this today because you have just been given this. It will be a very high priority item on the October agenda of the Council. I would urge you to be prepared to approve it or amend it to the point where we can approve it.

The cases of dismissal proceedings, because of alleged serious misconduct, those procedures were talked about far less. We did have some early feedback both from within the Council and in settings outside of the Council indicating there were significant problems with the procedures as they were written. We compiled a list of what those, at least preliminary, concerns had been and we, as the Executive Committee, decided to send the drafts to date and a list of concerns to our Faculty Affairs Committee and ask them to come back to the Council with a cleaned up, fixed up, and hopefully, more acceptable version of that. We have asked Dean Plater to work directly with the Faculty Affairs Committee on that project so that when we do bring a draft to the Council, we will have some sense that we are getting close to having something accepted. That will follow.

Dismissal Procedures for cases of extraordinary financial exigency are also important. They may turn out to be real important. While the Faculty Affairs Committee is working on misconduct procedures, a small group is studying financial exigency documents from Bloomington and other institutions and getting a first draft of that. All of these apply to tenured faculty and tenured librarians. I think what the Council has done which *was to touch base on* how other categories of faculty get dismissed. We will do that at the end. I think you should go home and do your homework and we will try to pass this next month.

PORTER: Can we then appoint members of a small working group in case someone would like to provide input?

WARFEL: For the financial exigency?

PORTER: Yes. Dick Fredland, Dean Plater, Richard Turner, and myself.

GOLDBERG: This is the document which you want us to read before the October meeting?

WARFEL: Yes.

HART: Will we be assured that at the October meeting there will an extended period of time protected for the discussion of this. It won't end up with 20 minutes or 35 minutes or something like that?

WARFEL: That is correct.

TURNER: As we plan the agenda for the next meeting we will be putting time limits on the agenda items. Obviously, they can be extended by the body.

WARFEL: I don't mean anything I said to in any way make you think that we are trying to railroad this through, but we have discussed it for about five Council meetings. I think that the time has come for us as a group to agree on something. If you don't like the way it is, then let's fix it so we can move on then we can argue about something else. *[laughter]*

AGENDA ITEM X - COMMITTEE REPORTS

TURNER: The next item on the agenda -- committee reports -- is apparently a "just kidding" item. We had thought that we needed to provide a Board of Review update, but that was provided at the May meeting by Dick Fredland. Therefore, we don't have that committee report for this meeting. I don't think we have any other committee reports today, do we? [None]

SPECHLER: Dick, you probably noticed that the Budgetary Affairs Committee's annual report, a very important committee of this assembly, was not included in the packet which we received. Do we have assurance that that report will be circulated to all of us as soon as possible?

WARFEL: I have the copy of it on my desk. It was in the immense box that Dick [Fredland] brought to my office one day with a huge smile. *[laughter]* I do have the copy of that report and I will make sure that Bernice gets it. In case something else is missing, I probably have it.

AGENDA ITEM X - QUESTION AND ANSWER PERIOD 10 MINUTES

TURNER: We now have the Question/Answer Period for 10 minutes.

PETERSON: I would like to raise the issue again that Martin Spechler touched on briefly earlier relating to the tenure and promotion review process. I think we need to have clarification of what is going to be happening at the level of the new responsibilities of Chancellor Gros Louis as Vice President for Academic Affairs I had some difficulties with the President reviewing each one of the dossiers as they were going up, but at least it was an equal review at another level for everybody. Under the circumstances that we have now, if Chancellor Gros Louis is to review those or in some way make sure those are reviewed, people coming from Bloomington are potentially going to get a double review from the same administrator and perhaps a signature by the same administrator who drew lines on that dossier as it goes to the Trustees. People coming from here end up with potentially a double jeopardy of being approved at this level and disapproved at another level as has happened on occasion on dossiers going from this campus. I think that needs to be clarified as to what is going to happen at that level and make sure we as a Council understand what problems are -- either now or at some later date -- and, if necessary, a committee should look at this issue.

BEPKO: May I make one comment? Dick said that there had been cases in which our recommendation for an appointment with tenure was reversed after it left the campus. I don't think that has happened, at least not in eight years.

PETERSON: It was rumored. I apologize if I stated that as fact, but I had heard rumors that had been done. I stand corrected if that is not the case.

BEPKO: It can happen. Otherwise, it would be an illusory review in the President's Office. But, I don't think it has happened.

SPECHLER: Dick, we are now on the same University Faculty Council in which you will find this committee looking into this. Briefly, there is no applicable legislation to our embarrassment. A committee is now looking into this matter. I want to invite everybody on this campus to express an opinion on the matter, especially those connected with system schools. The issue is what should be the line of authority and maybe even what is the appropriate role of people who want to do this line of authority bearing in mind that tenure and promotion is one of the eminent functions of faculty at Indiana University. So, if you have a strong opinion on this, please send it to me or to Don Gray. We will absolutely take it into account.

TURNER: Are there any other questions? Does anyone have any answers this year? *[laughter]*

AGENDA ITEM XII - UNFINISHED BUSINESS

TURNER: Is there any unfinished finished?

GREENE: I have a comment on the misconduct and dismissal policy. The draft policy now singles out librarians as a discipline/profession that may use its own Review Board to determine misconduct. I think we need to consider what other professions have review boards (e.g., social work, medicine) and determine how our IUPUI policy dovetails. What is the interface and legal ramifications?

TURNER: Are there any other questions?

BEPKO: I had a question earlier about what this hat is? I thought someone from the Math Department would be here. This is the first meeting that Roko Aliprantis has missed in a long time. The Math Department has created hats, I guess for faculty in the department and it says "IUPUI Mathematics - Count On Us." Congratulate your colleagues in the Math Department for creative slogans at least.

ROBBINS: The color of the hat reminds me of a rumor I heard that maybe you can dispel or verify. I heard that there was some consideration underway about the possibility of changing the colors associated with IUPUI. Is that rumor true or not?

BEPKO: Yes. The rumor is true. I am not sure who is responsible for deciding what the school colors are. I have been trying to find out for eight years who is in charge of parking *[laughter]* and I am getting close to that. I thought I had it last year, but then it had an effervescent quality to it. We are not sure who approves school colors, but there is a proposal that it seems to me to make good sense, that while in the past the practice has been to use the gold of Purdue and the crimson of IU, that there should be an alternative at a minimum. That would be to use the white of IU and the black of Purdue and to create black and white as an alternative color. The reason for that is tied to the idea that it may be good to use as a designation for the athletic programs something related to auto racing, which is so prevalent in Indianapolis. The word "Racers" has been suggested as a substitute for the Metros which is the word which has been used for the last 25 years to describe the intercollegiate athletic programs. There is a lot of support for that. I am not sure where it stands right now, though, because I am not sure who makes the final decision - whether it is the athletic department, whether the Faculty Council has to approve of something like this, - but it seems to be in the interim period that we ought to explore this at least as an alternative and I think the athletic department plans to do that for the fall. We actually already have some baseball caps like these *[holding up a sample]* one black version and one white version with a racing black and white checkered logo and IUPUI on it. It is very attractive.

ROBBINS: I hope it is their policy to include some kind of refund for those of us who just paid \$65 for a nice maroon IUPUI hat. *[laughter]*

BEPKO: I will suggest that to the athletic department. I will tell them to get in touch with you right away. *[laughter]*

GALANTI: I propose the racing connection. I am not sure how many people here are aware but IUPUI has an electric race car. I saw it last Monday at a meeting at the Metro Athletic Club (The Booster Club). It is, I think, primarily being done by the School of Engineering and Technology, but it is called the IUPUI Electric Race car. It is beautifully painted in, of course, crimson and gold. This apparently is a part of an attempt to get into a series of electric car races next year to help develop the technology that hopefully will eventually make electric cars a viable alternative to internal combustion cars. I have nothing to do with the School of Engineering and Technology, but I support this and I think it is something that the campus should be aware of and do what we can to help students who are working on for these electric race cars.

BEPKO: Actually it is a good prompting to mention with again some pride that something called "Electricore" has been housed indirectly in the School of Engineering and Technology. Electricore is a Midwest consortium on electric vehicles. It is sponsored by General Motors and Ford and has substantial federal grants for the development and testing of electric vehicles. I think that it is possible that Indiana, with its strong Delco Electronics facilities, both in Kokomo and Anderson, but also here in Castleton where there is battery facility for Delco. Also with the electronic storage center of excellence for the United States Navy at Crane in southern Indiana. And, with the Electricore, which is part of our School of Engineering and Technology, it is rumored that General Motors is considering establishing central Indiana as the site for its development and manufacture of electric vehicles. This could be an opportunity for Indiana to take back some of the things that Detroit took in the early part of the century in the development of internal combustion engine vehicles. If it all happens, IUPUI and the Purdue School of Engineering and Technology will be right at the center of this development. It is very exciting.

WARFEL: You all might consider incorporating a car into your design. *[laughter]*

BEPKO: Ed, I am just putting in another plug. Of all the sports paraphernalia colors in the country, black and white have turned out to be the most popular. The Chicago White Sox has national records in sales of its sports paraphernalia, and the assumption is because they use the colors black and white, which are very attractive right now.

TURNER: Our ten minutes are up.

AGENDA ITEM XII - UNFINISHED BUSINESS

TURNER: Does anyone have any unfinished business? [None]

AGENDA ITEM XIII - NEW BUSINESS

TURNER: Does anyone have any new business? [None]

AGENDA ITEM XIV - ADJOURNMENT

TURNER: We have an item on the agenda of the motion to adjourn which I understand requires a second. Do I hear a second? [seconded] The meeting is adjourned.

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
Faculty Council Meeting
October 6, 1994
Law School, Room 116
3:30 - 5:30 p.m

PRESENT: Administration: Chancellor Gerald Bepko, J. Herman Blake, William Plater. Deans: P Nicholas Kellum, Angela McBride, David Stocum. Elected Faculty: Margaret Applegate, Henry Besch, Patricia Blake, Timothy Byers, Lucinda Carr, Michael Cohen, Gayle Cox, Michael Dalsing, Paul Dubin, Howard Edenberg, Elizabeth Evenbeck, Karen Gable, Linda Adele Goodine, Stuart Hart, Henry Karlson, Robert Keck, Raymond Koleski, Missy Kubitschek, Stephen Leapman, Dana McDonald, Bart Ng, Byron Olson, Nasser Paydar, Michael Penna, Richard Peterson, Rebecca Porter, Ken Rennels, Norris Richmond, Edward Robbins, Carl Rothe, Jane Schultz, Lee Schwecke, Akhouri Sinha, Charles Slemenda, Jerrold Stern, David Suzuki, Karen Teegarden, Jeffery Vessely, Kathleen Warfel, Patricia Wittberg, Richard Wyma, Charles Yokomoto. Ex Officio Members Present: Barbara Cambridge, Paul Galanti, Martin Spechler. **ALTERNATES PRESENT:** Deans: William Bosron for Walter Daly, David Frisby for Virgie Montgomery. Elected Faculty: Neal Rothman for C D Aliprantis, Jack Gilfoy for Darrell Bailey, Karyl Robb for Jeannette Dickerson-Putman, James Baldwin for Dolores Hoyt, David Lewis for William Orme.

Absent: Deans: John Barlow, A James Barnes, Barbara Fischler, H. William Gilmore, Roberta Greene, Kathy Krendl, Norman Lefstein, Alfred Potvin, John Rau, William Voos, Donald Warren, Charles Webb. Elected Faculty: Biagio Azzarelli, Merrill Benson, Diane Billings, Zacharie Brahmi, Timothy Brothers, David Burr, David Canal, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Carlos Goldberg, Juanita Keck, M Jan Keffer, Stephen Lalka, Eric Long, James McAteer, Lynda Means, Richard Meiss, Debra Mesch, Bernard Morrel, Margaret Richwine, Michael Sadove, Brian Sanders, Richard Schreiner, Jeffrey Springston, James Wallihan, Eric Wiebke, Jennifer Wiebke, Susan Zunt. Ex Officio Members: Ronald Dehnke, J Vannoy Faris, Janet Feldmann, S Edwin Fineberg, Edgar Fleenor, Carlyn Johnson, Robert Lehen, Karen West, Student Representative.

Visitors: Mark Grove, [Registrar], A Isaac Levy [Research & Sponsored Programs], Wendell McBurney [Research & Sponsored Programs], Patrick Rooney [School Lib Arts/Economics (Columbus)]

AGENDA ITEM I - CALL TO ORDER

TURNER: I now call this meeting to order.

AGENDA ITEM II - APPROVAL OF MINUTES

TURNER: Our next agenda item is the approval of minutes. The minutes are not ready for approval and therefore will be approved at the November meeting. After the minutes are approved they will be placed online under IUPUI GOPHER at the same location as the Faculty Council minutes. Also, beginning next week we will be placing a summary of the meeting online which will summarize any actions taken during the meeting and any new items which may seem pertinent. This will be available for anyone who would like to know what occurred at the meeting before the minutes are distributed.

We are looking into the possibility of setting up a type of listserve so that the minutes can be electronically delivered to each faculty member's E-Mail. We will be surveying the faculty to see if there is enough interest in getting the minutes distributed in this manner.

Let me remind you that the microphone in the center of the room is meant to pick up the voices of those persons in the back of the room. It helps us if you can identify yourself as you speak and it also helps if you don't move the microphone. Thank you.

AGENDA ITEM III - CONTINUED MAJOR ISSUE DISCUSSION

TURNER: We will now move on to the next agenda item which is the current major issue discussion. A copy of the dismissal procedures for tenured faculty and librarians was distributed at the September meeting. What we distributed was a somewhat revised version. The Executive Committee, after consulting with the University counsel, has made three amendments to the document. We regard those amendments as minor and so we are continuing to bring the policy before you today for discussion and possible action. The document which has the yellow cover sheet has three pages attached which contain the changes. This document stands before you as a motion to be adopted as policy at IUPUI. I will now open the floor for discussion. Following the discussion, hopefully we will be able to take a vote and get this part of the dismissal policy passed.

HART: Most of the document seems to me to be quite appropriate. There is one item that I believe needs serious consideration. Let me preface this with this the following. The comments which I am going to make are certainly in no way meant to be an expression of antagonism toward, or disrespect for, or a challenge to the administration. That duly noted, I wish to recognize what, in my mind, is an area of responsibility of the faculty, for which the faculty's very integrity is dependent upon it being preeminent in regard to the executing of authority, with the exception of possible actions by the Trustees. A clear point at which to consider this issue is on page 5 starting on line 27, in which we are dealing with the formal proceedings for dismissal on the grounds of incompetence. It indicates that an elected peer committee, not appointed, has had the opportunity to review and if it determines that the faculty member or librarian is not incompetent, that it will recommend the proceedings terminate and that the administrator withdraw the allegation in writing. Of course, this is the area in which I believe is of importance to faculty integrity. It is the faculty who is the best judge of the competence, or lack thereof, of a fellow faculty member; and the proceedings should stop at that point and not be moved forward. I believe that, in fact, was the spirit of many of the comments made when this particular item was discussed in the spring semester. I know that when we discussed it openly with faculty of the School of Education recently that this position was stated rather clearly and the faculty indicated it was the position which should be included in the document.

WARFEL: Richard, we might have some comment back to that. Your point is exactly one which has been talked about repeatedly in regard to the dismissal for incompetence. We have "buted heads" is not exactly the most elegant expression, but we have discussed it thoroughly and repeatedly. What we are trying to do here is to come up with a written policy that the institution as a whole can agree to. That is, not only the faculty writing the faculty's ideal document, but the administration also embracing the document. I will let Dean Plater speak for himself, but the multiple smaller groups that have worked on this have repeatedly heard that mandating absolutely that the process would stop at that point would not be acceptable to the administration. We added the last sentence to try and make a strong statement about the risk an administrator would be taking if she or he decided to proceed in spite of the peer group saying that there is no incompetence. I think we are better off with a written policy than to have people dismissed in some other way. My goal is to get a written policy that we all can agree to follow.

PLATER: Kathy is exactly right. This document is a compromise and, I think, it has broadened our approach in the spirit of being jointly recommended by the Executive Committee which has worked on it along with the administration. Not that things can't be changed, but we do try to take into account a number of factors. I would also comment that there is yet another peer review which is certainly available, and expected, for faculty members who are to be dismissed for incompetence, and that is through a faculty board of review process. It is not as though there is not yet another level of peer review that is envisioned before a faculty member would be dismissed. Circumstances will vary greatly across our campus in terms of the size of the unit and the nature of the unit. For some very small units, it may be very difficult to have a peer review committee that could make the recommendation for dismissal of a faculty member or colleague for incompetence. There may well be a circumstance under which there would be a conclusion by the administrator that a recommendation for dismissal needs to be pursued despite the recommendation of a peer committee. We would like to allow that recommendation to go forward with the understanding that the administrator bears a great responsibility in proceeding against the wishes and advice of the peer review committee. All of us understand that the Faculty Board of Review yet remains as still another peer review process.

KARLSON: Having looked at this over a course of number of years, I would say two things. The review by the faculty board of review is also one which is merely a recommendation which the administration does not feel itself bound by. So, merely saying that another recommendation that we need not follow is going to be coming from the faculty doesn't qualify as a response to the initial feedback in the initial issue. The initial issue is whether or not the determination of who is or is not a competent member of an academic discipline. What we are talking about is, is a function of that academic discipline a function of university administration? Clearly, those best qualified to evaluate the competency of a person within their discipline are their peers within the academic discipline. That the administration would perceive beyond that point, I can't comprehend unless there is some feeling that the entire department is incompetent which is really what you are saying when you say that they are not competent to determine whether or not, as a peer, a member of that department of that school is competent. Your wanting to have something which everyone can agree with is nice, but obviously the administration has gone too far. I can't help but feel that, if the administration wishes to remove people for incompetence when their peers feel they are competent, maybe they can do so, but for the faculty to say that they have power, would be the equivalent of a group of turkeys getting together and voting for Thanksgiving to come early. [laughter]

SINHA: What is the motivation for the specific guidelines for tenured faculty dismissal?

TURNER: This is a recommendation which came out of the Task Force on Faculty Appointments and Advancements.

SINHA: I attend several conferences in a year and I sometimes hear people talk about how tough it is to get tenured, but I rarely find anywhere anyone talking about the specific procedures for faculty dismissal in a university. I am not quite clear in my own mind if it is routine guidelines for the faculty handbook.

PLATER: Rarely does the institution consider faculty for dismissal. We have used a set of procedures that, at the moment, are ad hoc by agreement with the Faculty Council. Going back some six years, we have been in intermittent discussion with the Faculty Affairs Committee and the Faculty Council about establishing a set of procedures that would be known in advance and that we would be obligated to follow in considering a faculty member for dismissal. Through this process of discussion, we have gotten to the point of bringing this document to this body at this time. It has a very long history. Not that it is anticipated that it would be used frequently or that we have in fact dismissed faculty or considered dismissing faculty for incompetence in the past very often, but we all feel that there should be an established procedure by which we can consider this possibility.

ROBBINS: It is my assumption that the AAUP very likely has language that addresses the issue of dismissal for incompetence. I have made some effort to try to find documentation. I guess I have been unsuccessful only because I have not been able to find the source. My question is whether or not there has been any other attempt made to correlate the proposed policy with language that I am assuming might be somewhere in AAUP literature?

WARFEL: Between the draft that came out of the Implementation Committee and the draft we have now, the AAUP Dismissal Policies were consulted and quite a bit of what you find on the last page in regard to salary guarantee, etc., is because the AAUP's policies reminded us that those are things to consider.

ROBBINS: So, can we assume that this is not inconsistent with or maybe more directly consistent with AAUP language relative to this type of an issue?

WARFEL: I think so. It is not identical to their policies. Most of their policies are written for not campuses within a complex university, but for relatively simple colleges and universities. I think that the spirit of it is certainly the same. Some of our language is, in fact, lifted but much of it is not.

KARLSON: (Could not understand) Point of information. _____ thing language _____ under consideration out of, and I am talking about the language of the administration to overrule the determination of competence of the peer review. Is that or is that not found in the AAUP document?

WARFEL: I couldn't answer that without looking at the document again.

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PLATER: I think what the AAUP document requires is consultation with a peer review committee. There was never an expectation in the AAUP document that the peer review committee has a veto over the consideration of dismissal. There is also an assumption in the AAUP document that the Board of Trustees would make the ultimate decision about dismissal of the tenured faculty member. In our discussions, as Kathy suggested, within a complex multicampus system, we have imagined that peer review would occur through the Faculty Board of Review process, which does envision, ultimately, an appeal to the Board of Trustees. That is one reason that we have built in, in essence, two peer review levels, whereas the AAUP guidelines provide only for one peer review level.

GABLE: On page 3, where it defines the word "administrator" in lines 10-13, would someone clarify that for me? As I read it, I understand that the word "administrator" means in similar department chairs-- it does not mean central administration. Is that true?

PLATER: Yes.

GABLE: So, therefore, throughout the rest of the document wherever the term "administrator" is used, it means department chair or equivalent?

PLATER: Or, dean in instances where a school is organized without departments.

GABLE: Thank you.

ROTHE: On page 4, lines 47-51, "For this stage of the procedure, a special five member peer committee must be elected by the unit..." How is the unit is defined? The other question I have is, on page 4 at the end of that it states, "...according to procedures established by the faculty of the unit." My real question is, how are these people to be elected?

WARFEL: It would be up to the School of Medicine to write themselves some guidelines for how it is going to fix this problem should it arise.

ROTHE: If this is passed by the Board of Trustees, we are going to have to ask each of the schools to make provisions.

WARFEL: Is there a constitution?

PLATER: They need to make provisions. Whether it is in the Constitution or not would perhaps depend on their organization of the school, but it is expected that each school will determine the procedure by which faculty would be elected to this committee. Yes, the schools would have to take a step to create that procedure.

WYMA: I have a question for Dean Plater. We talked earlier about this peer review committee and you had indicated that one other possibility would be to have a faculty review committee to enter the process at some point to review a particular case. Would you care to indicate as to what the role of the faculty review committee is compared to this elected peer review committee and how those two groups would function? I don't see any statement in the current document as to where the faculty review committee would enter the process.

PLATER: At the very end of page 6, lines 17-20 where, upon notification of dismissal, the faculty member has the right to request a Faculty Board of Review. I am not speaking about how a Board would choose to do this, but that a board, presumably, would be reviewing the whole procedure as well as the merits of the case.

WYMA: That would be the final step?

PLATER: That is correct, except that the Faculty Board of Review procedures themselves allow a faculty member ultimately to appeal to the Board of Trustees. That is the ultimate authority. Our own procedures for Faculty Board of Review envision that as the last final step of any appeal.

PORTER: I assume that any spelling or typographical errors in these documents will be corrected.

TURNER: Yes, they will. You have to admit that they add character to it. [laughter]

KARLSON: I would like to have the definition of the word "salary." Does that include fringe benefits such as health and retirement?

TURNER: Are you referring to the last page?

KARLSON: Yes. Lines 8-11. "*The faculty member or librarian shall receive his or her salary for one year from the date of notification of dismissal...*" Does that include fringe benefits such as retirement, medical insurance, and life insurance?

TURNER: Somebody who was on the committee would have to respond to that question. That language was in response to the AAUP, I think.

KARLSON: I understand that, but how does the AAUP define it?

PETERSON: The way you define salary is someone who is working for the University. You cannot pay a salary to someone who is not working for the University. If you are working for the University, you are eligible for all of those fringe benefits on the other statement that is made here, there is an erasure in the document which said whether or not the individual is working for the institution during that year. The reason that was taken out is because, if someone was gone from the University yet receiving a salary, that would essentially be a ghost employee. The other arrangement is some other mutually agreed upon arrangement that can be made between the administration and this individual when he/she steps down. During that time which he or she has stepped down there would be something equivalent to salary. Hopefully, these benefits are equivalent to what would be paid in salary and benefits during that period of time. Maybe we should specify it.

PLATER: I would agree with Dick's interpretation.

KARLSON: Technically, that isn't necessarily so. You can buy contracts and not be a ghost employee. The term here is that they would not be willing to continue to be employed during that period but merely receive their salary for that period.

PETERSON: That was the interpretation of the University policy.

PLATER: Just for clarification, we are looking at the "green" version of this last paragraph; that was the additional language that was inserted.

TURNER: The term "salary" gets used in lots of University policies and whatever it means there, I am sure it means here.

KARLSON: I have seen it used in more than one context, though.

TURNER: In University policies?

KARLSON: I have seen documents which say "these are your fringe benefits -- not part of your salary. It is not promised salary. We have all seen documents like that.

PLATER: I think we could assume that the person who remains in the employment of the University is entitled to both the salary and fringe benefits. The alternative to that would be...

KARLSON: Actually, how he receives his salary, is a different issue.

PLATER: We are speaking of salary for work. There would be work if you are an employee.

KARLSON: Would there be a contract beyond termination?

PLATER: That would be the other mutually agreeable arrangement.

KARLSON: By merely saying that you received your salary does not mean that you continue to work.

TURNER: We have consulted with the University Counsel and that is what we came up with.

APPLEGATE: What is the harm in clarifying it in the document? I hear both sides of the argument. I was beginning to lean in this direction until the unfortunate word "hopefully" which was used in regard to fringe benefits. What is the problem with clarifying it?

TURNER: I don't know if there has been a substitute term suggested. What is the clarification?

APPLEGATE: Salary and fringe benefits.

TURNER: Salary and fringe benefits.

APPLEGATE: Yes.

ROTHER: I second that.

TURNER: I don't see any problem with that at all. I take it that that is a motion. It has been seconded. Is there any discussion regarding that?

BEPKO: I think it is a good idea to clarify it, but while modifying that language, I think Dick Peterson mentioned that it would not be salary and fringe benefits that a person would be receiving. It would be an amount equal to a year's salary and fringe benefits or comparable benefits. To say it is a salary contemplates that the person would be working and to erase this issue of ghost employment, or whatever, it might be better to further clarify it and make it absolutely clear that it is an amount of money and some correlated protections that are involved and not employment for that year.

TURNER: This anticipates the possibility that a person might continue to work for the University but perhaps not in the same capacity.

BEPKO: Is that what was intended? If that is true, then the comment that I made is moot.

PLATER: What we assume, and again I don't mean to suggest that we anticipate this happening very often, but if it were to happen, it is mostly likely that if a faculty member were judged incompetent and were being dismissed, then it would be in everyone's best interest not to continue that person in teaching responsibilities. Therefore, the most likely arrangement would be something that was mutually negotiated and presumably that would be severance pay equivalent to salary and benefits -- a sum of money, at least, that was mutually agreeable. However, there could be a circumstance under which a person might continue in a capacity in which they were able to carry out duties at a level of competence that would warrant their continuation for one year -- not, presumably, in teaching.

VESSELY: It would seem to me that the language would suggest, as you said, if they are not going to continue in their present capacity and maybe, in fact, they are being severed and brought back to some other work, it seems to me that if somebody from the legislature picks this up and sees that it says that you are going to get your salary and fringe benefits or even an amount of money equal to your salary and fringe benefits as if you were staying on the question immediately arises, Well, if they are incompetent, why are we keeping them for a year? Why don't we just pay them off? The language ought to say what is going to happen and not to be conjectured in three or

four different ways.

KARLSON: If I may make a further comment. I understand your appointment is a professor of history, professor of English, or a professor of law. In those _____ jobs _____ recognized by the academic community, so it is not a matter of dismissing him and then bringing him back under a new type of appointment. (could not understand) that are not consistent with that appointment. What would happen to the individual, for example, (could not understand) professor in this department. I don't think that is what you want. It would be very destructive.

TURNER: Presumably, what is going to happen is that the people in the unit are going to negotiate that with the person. Concerning putting in language that is going to clarify it, any language is probably going to hamstring what arrangements an individual unit could make where such a diverse community exists. It would be difficult, I would think. Jeff, I think that the feeling of the state legislature would be that this an established policy among universities and is required, not only at this university, to pay its respectability. That is why it is done. We have an answer for that as to why the person is getting the salary for a year.

VESSELY: Henry used the term "disruptive". The unit might say that having Jeff Vessely around for another year is going to be disruptive so we are going to let him go somewhere else. We are going to let him go fishing in Minnesota for the next year and just pay him because, if we are saying we are "hamstringing" the unit, then it sounds like we are saying the unit is going to figure out what to do with that me. It seems to me that if we have gotten to that point, we ought to leave the language so that if the idea is to allow this person the opportunity to have compensation for a year until they figure out what they are doing with the rest of their life we ought to say that is what we are doing. Severance pay is what it is called everywhere else. I think it sounds selfish to me on the part of the university that if we could bleed a little work out of that person for the next 12 months while we are dismissing them, then we can make you earn part of that severance pay. That is what it sounds like.

BEPKO: Is that in fact what this means, that the University would have a right to employ the person being dismissed at some other capacity in order to earn the severance pay? I don't think that is what it means. I think it means that the person is to be paid an amount equal to a year's salary upon dismissal. It would be easier to say that it is an amount equal to and not say that it was a salary because you would clear up the ambiguity that Dick Peterson mentioned.

TURNER: So, it is proper to call it "severance pay" then?

BEPKO: You don't have to do that. All you have to do is say an amount equal to salary and fringe benefits for one year.

ROBBINS: I am prepared to move that in line 9 on page 6 insert the words *"receive an amount equal to his or her salary and fringe benefits for one year."*

BESCH: There can't be another motion on the floor -- not a motion to amend. That could be made into a motion to amend the previous motion.

TURNER: Are you moving to amend the previous motion?

ROBBINS: What was the previous motion?

TURNER: We have a motion on the floor to add *and fringe benefits* to salary. It has been seconded and that is the discussion we are conducting now. If you want to act on that, you are moving to amend that motion. Is that correct, Henry? That is an appropriate motion to make.

BESCH: That is correct.

ROBBINS: Alright. I will do that. [Motion seconded]

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TURNER: What we are discussing now is the amendment to the motion that would add the language "an amount equal to his or her salary." The motion is to add *and fringe benefits* to salary. Is there any discussion of that?

SPECHLER: Richard, I, unlike some others, am not a specialist in incompetency, but it seems to me that you are creating an incentive here to enter an incompetency procedure for someone who intends in all faith to retire. You are writing in an additional year's pay, which is a rather considerable for many of us, in addition to all the other benefits to which we are entitled; namely, 18/20, retirement, as well as all the rest of it. To be found incompetent by my colleagues who themselves are probably incompetent, [laughter] would be a small price to pay for a substantial amount of money. I don't mean to be facetious, Richard, but I think we are creating here an additional draw on the budget for people that could be abused in all seriousness.

TURNER: You are speaking against the motion to amend the language?

SPECHLER: That is right. I understand the concept of severance pay, but in a situation in which you are not forced by any age requirement to retire this creates a real material incentive to go along and, in fact, initiate incompetency procedure.

TURNER: I think you are speaking to the passage of the language and we need to talk now regarding the specific amendment that is before us by Ed Robbins.

SPECHLER: I thought I was speaking to the idea that anybody who was found incompetent would be given a year's salary with our without fringe benefits.

TURNER: If you will forgive me, I take it that it is my job is to move this along. One of the things I have to move along is to ask you to hold that comment until we come back to considering the passage in general. The motion on the floor has to do with amending the motion to add language; therefore, the amended motion would read shall receive an amount equal his or her salary, then insert "and fringe benefits". First, can we amend that first motion to add "an amount equal to" before "his"?

BESCH: Both will be done at the same time.

TURNER: Is there any more discussion on the amendment?

MCDONALD: Call for the question.

TURNER: The question has been called. All in favor of the amendments, say "Aye." All of those opposed? [None] Let it stand that we have amended the language and now we are back to considering the document as a whole. Now it is time to think about what Martin said.

KOLESKI: I have an observation about the document concerning retirement. The thing that is of interest to me is that the document is concerned with "the demonstrated continuing inability". This, of course should be of concern since we no longer have compulsory retirement. However, a person on the faculty can look around and see that there are some faculty members who are unwilling to exercise their responsibilities and they are not necessarily beyond 65 or 70 years of age. Does inability cover unwillingness as well?

TURNER: We have left "unwillingness" to misconduct.

KOLESKI: I didn't bring my document, but is there a place where unwillingness is covered?

TURNER: Yes. That is next on the list. That is the dismissal for misconduct and that is in the mill right now. I am not sure when we will have that, but that is the next one up. After that is going to be the Post-tenure Review.

KARLSON: I would like to make a motion regarding the following proposal. "If the peer committee finds that the faculty member or librarian is not incompetent, the committee's recommendations will terminate the proceedings."

TURNER: Where are you referring to?

KARLSON: That would be where it says "If the peer committee finds that the faculty member or librarian is not incompetent..." I would delete the language following that as to the procedures to be followed after that and state "the committee's recommendations will terminate the proceedings."

TURNER: You want to amend that language and delete what follows to say what?

KARLSON: As I said, "the committee's recommendations will terminate the proceedings." In other words, nothing is done beyond that, if the peer committee finds the faculty member or librarian not incompetent, I want to change the language to, "no further action shall be taken against the faculty member or librarian for incompetence."

TURNER: That is the motion and it has been seconded. That is up for discussion.

UNKNOWN SPEAKER: Let's hear the motion again.

KARLSON: The motion is that the language be changed to read, "If the peer review committee finds that the faculty member or librarian is not incompetent, no further actions will be taken against the faculty member or librarian for alleged incompetence."

TURNER: And, the language following will be deleted.

SPECHLER: I am very strongly opposed to this amendment. I think it puts us into an unnecessary confrontation with the administration which is quite willing to accept a reasonable compromise. That is one thing. Secondly, it is in conflict with the document itself and with the procedure for appointing faculty members. To take the document itself, it speaks of our duties as faculty members as teaching, research, and service. Now, while faculty are in a unique position to judge competence in research, and perhaps in teaching, they are hardly the only appropriate judges for service. I think service is very important, especially the senior ranks in this institution, and, therefore, I think it is entirely appropriate for the administration to have a role in that matter. Secondly, the administrators do have a role which has been sanctioned by us for approval of tenure and promotion. If their views are appropriate in hiring people, it seems to me anomalous to think that their reviews are out of place in terminating people for incompetence.

EDENBERG: I had a question regarding the amendment. Do we need to put in some kind of time limit on this? In other words, if someone has once been judged competent and eight years later something comes up again, is he forever immune for the rest of his natural life against new proceedings?

TURNER: There is other language in there that would take care of that.

KARLSON: I would speak to this very seriously because throughout my tenure at the university I have worked on many faculty boards of review in one capacity or another. With all due respect to the administration, the determination of whether or not to grant tenure is appropriately given with the determination to label a person as incompetent. Those are two totally different concepts. One focuses on tenure track whether or not to grant their tenure. You might say that it is not because you are not incompetent, it is just because you haven't met our very high standards. Or, we feel that university at this time does not have the funds to commit for this tenured position long term. Lately, of a person within (changed tape), it is the members of the profession which are most suited to determine what is appropriate. Let's look at service which someone spoke to earlier. I can assure you that what is appropriate service for a lawyer is not appropriate service for a surgeon. So, the definition of service is unique to the discipline involved. And, the extent to which that service is important within the discipline is totally different from discipline to discipline. So, the unique word is the labelling of incompetence. This is a peer determination. That is why we call it a peer committee. As much as the administration might want to remove some of us for some purpose other than incompetence (could not understand), it might be appropriate. But, when we are labeling someone as incompetent, that must be done by his peers (could not understand), and therefore I strongly move what I have said to the faculty -- the best determination of incompetence is a peer determination.

VESSELY: I would like to speak against the amendment. It seems that the end result by putting a period there and removing the rest of the language does not prevent that person from being dismissed. It seems to me the language that is in here at least then requires the administrator, if you are using the term "administrator", to document why they are going to go against the peer committee's recommendations. If you put a period at the end of that and remove the rest of that, it is not going to necessarily change the result, but it changes the method by which that result is reached because we haven't put language in there saying, I think that was probably the reason for the compromise, we at least want there to be a process if you are going to overrule the committee, you want a process by which you are going to do that. I think the ultimate person protected is the faculty member. If they are going to fight the dismissal in the court, at least then they have some documentation on which they are going to be able to refute. If we don't have that language, that doesn't happen.

APPLEGATE: I would like to speak against the motion for several reasons. One, I believe it is totally adversarial. Two, it assumes the infallibility of a very small group of people. Three, it assumes that now we are going to take seriously the judgment of that group. However, there may be cases where an overrule is appropriate--it must occur only with evidence of appropriateness.

KARLSON: I wish to clarify my motion. When I say "it terminates all further proceedings to the alleged incompetency," that means the termination of dismissal stops right there.

VESSELY: Good luck!

YOKOMOTO: Jeff Vessely and I had a long debate for about one year about, three years ago, and we debated and we debated; I thought he was crazy and he thought I was crazy; he thought he was right and I thought I was right. It turned out that we were debating the wrong issue. We were debating what was right and what was wrong rather than which method would give the faculty the most protection which is why he said it. It came up again as a repeat of that debate we had. So, what people need to do is to look at what is best for faculty to determine, as the faculty representative, which of the two methods gives faculty the most protection as opposed to what is right or what is wrong, what is better or what is worse. It is what is going to give the faculty the most protection. We went through this about three years ago.

TURNER: I think it is time to move forward. First, we need to vote on the motion that is before us to change the language on page 5, line 27-37 to read:

If the peer committee finds that the faculty member or librarian is not incompetent, no further action shall be taken against the faculty for the alleged incompetence.

And, everything after "the incompetent" in line 28 would be deleted. That is the motion before us. All in favor of this motion, say "Aye." Any opposed? I think that the 'Nays' have it. The motion is not carried. Can we move back to discussion of the document in general?

YOKOMOTO: Could there be possible repercussions of slander? If the committee finds someone incompetent, have there been cases where a person who was judged to be incompetent has taken that to court as an attack on a person's character? What would be the repercussion against the faculty committee that was involved in such a judgment?

PLATER: To my knowledge, that has not happened for any case on our campus or any that I am aware of within the University. That doesn't mean that it hasn't happened. I would ask the Chancellor to comment on what I am about to say. It is my understanding that a faculty committee carrying out its responsibilities within the mandate of the University would be defended in its actions by the University for carrying out the University's business.

TURNER: We would assume that it would have to be against the University.

BEPKO: It is a very difficult case. Professor Karlson is an expert on this.

KARLSON: I have worked on these cases as the most exalted _____ the Indiana Supreme Court. I have found that the University _____ employment context _____ of the publication for actual malice and no _____ which is almost an impossible standard. It used to be under Indiana laws all of it was within the employment community _____ there was no publication. That was changed by the Indiana courts about a year or so ago, but they printed a limited privilege. The standard for the file to overcome _____ privilege that the person, had he knowing falsely since the determination of incompetency is an opinion, so long as you honestly hold that opinion, it not a falsehood.

TURNER: Could we have some closing comments and then move to a vote on this?

SPECHLER: It is time to get back to this question of the price for incompetency. In all seriousness, aren't we opening up ourselves to some kind of collusive proceedings in which a person who intends to retire submits himself or herself to incompetency proceedings in the hope of winning a year's severance pay in addition to all the other retirement benefits? Isn't this something that a responsible university would have to consider?

TURNER: You certainly have struck a chord, Martin. [laughter]

WARFEL: I have to hope that we are still an ethical community that believes that the truth is worth something. I think that if we are to the point where you can get a whole line of administrators and two peer review committees to come together and tell lies so that someone can have a year's worth of money, it is time to close the doors.

PETERSON: I think that you are implying that a person who is dismissed would be eligible, or at least part of it such as 18/20. That is not the case. If someone is dismissed, they do not have eligibility for 18/20. They have their vested retirement program as almost anyone does, but they have been dismissed from the University and are not eligible for 18/20 and the five-year plan. That was discussed in Executive Committee as one of the things that was related to this. It is AAUP policy that we do pay somebody a year's salary, or the equivalent of a year's salary. I don't think we can get out of that if we have a dismissal policy.

KOLESKI: I wouldn't have figured that this would be a joyous group that one would find incompetent.

TURNER: Are we ready to vote on this? The motion before you is that the Faculty Council adopt this dismissal policy in regard to incompetence as presented and as amended. All in favor of passing this policy, say "Aye." Are there any opposed? [none] The Ayes have it. The motion is passed unanimously. Thank you. If you liked this, we have another one coming. I think that part of our assumption in pursuing this is that we are better off having policies that were thought through and developed than not having them. Therefore, despite all of the work, it is useful.

AGENDA ITEM IV - CHANCELLOR'S REPORT - CHANCELLOR GERALD L. BEPKO

BEPKO: Very briefly, because we have several other important items on the agenda, let me report that the memo containing the summary of the results of administrative reviews for 1993-1994 will be in your mailboxes within a day or two. Because the last of those reviews wasn't finished until this week, actually today, we wanted to include it in the memo and that will be out early next week. Just to remind you, the reviews from last year were Dean John Barlow (School of Liberal Arts), Paul Bippen (Director of the Columbus Programs of IUPUI), Jim Brown (Associate Dean in the School of Journalism), Mike Cozmanoff (Bursar), and Eugene Tempel (Vice Chancellor for External Affairs).

For 1994-1995 we have agreed on only four reviews because we have just about caught up, as I suggested at the last meeting. Nearly everyone who has served for five years or longer has been the subject of a review at this stage. We do have a few that are eligible because of length of service and with enthusiasm have agreed to the process for this year. On this campus there are two: Herman Blake (Vice Chancellor for Undergraduate Education) and David Stocum (Dean, School of Science). Two are on the Bloomington campus in accordance with our special relationship core campus. As you know, some deans, including Bloomington deans, report to the Indianapolis

campus. That includes Jim Barnes (Dean, School of Public and Environmental Affairs), whose office will be reviewed this year and Jack Bennett (Dean, School of Optometry). The latter two reviews will be conducted in close cooperation with the office of Ken Gros Louis, Vice President and Chancellor for the Bloomington campus.

In view of the time, I think other matters should be deferred.

AGENDA ITEM V - PRESIDENT'S REPORT - KATHLEEN WARFEL

WARFEL: I have just a few things. The chairs of the standing committees of this Faculty Council got together a few weeks ago. We have a menu of items that each of the standing committees is considering or will be considering later in this year. I haven't duplicated this for the entire Faculty Council. It is very sketchy at this point, but if any of you want a two-page overview of what the committees are doing, I would be happy to send this to you.

You have received today copies of the memoranda that was sent to the members of our new task forces for this academic year. The work of the Task Force on the Status of Women, the Task Force on Clinical Ranks, the Task Force on Service, and the Task Force on Student Evaluation of Teaching will be very important to our campus community. These show the members of each of the task forces. I think the contents of the memos explain the focus of each task force. It would be good if you all were familiar with what these groups are going to be doing and help them in any way you can.

Next Tuesday at the University Faculty Council we understand that President Brand is going to make a major speech. I think once we hear the contents of that speech the focus of our committees will be shifted. Perhaps not. We will have to wait and see what the contents of that speech is. That is all I have today.

ROBBINS: Is there a possibility that that UFC meeting could be electronically telecast here?

PLATER: It will be. The receive site will be in the Conference Center, Room 118 at 1:00 p.m.

AGENDA ITEM VI - RESPONSIBILITY CENTER MANAGEMENT - PATRICK ROONEY

TURNER: We have two committee reports. The first one is from Patrick Rooney, Chair of the Budgetary Affairs Committee, on the Responsibility Center Management. The second one is from Jean Gnat, Chair of the Faculty Affairs Committee.

ROONEY: A couple of years ago Dick Fredland asked the Budgetary Affairs Committee to contemplate doing a review of Responsibility Center Management (RCM). He and I had some initial dialogue about that. Last year the Budgetary Affairs Committee formed a subcommittee to review RCM. In our initial discussions Dave Robbins and Chancellor Bepko suggested that it might be more efficient if we did a joint administrative and faculty review. The committee agreed that would be to everyone's best interest. I would like to thank the committee members. Two of them are present today -- Ray Koleski and Bob Keck. The document is sort of lengthy, but you have a shortened version. It is my understanding that there are several copies of this available for review in all of the libraries. Bill Plater suggested this morning that we put it on E-Mail so anyone can access it if they wish. If you would like to have a hard copy, contact Jackie in David Robbins' office.

What I would like to do is briefly discuss a couple of the highlights. One of the overall conclusions was that there is fairly widespread support for RCM even among the deans who experienced financial duress during the last several years. Although they all wanted changes made in the process, none of the deans recommended that we stop the RCM process as a whole.

Among all the administrators who we interviewed, we interviewed all the RCM directors and deans, all the vice chancellors, and the President and all of the vice presidents in Bloomington. I think there was only one vice

president in Bloomington who suggested that this was a bad idea. We also had two open fora for the faculty to give their input and at both fora there were some questions raised and some dialogue given that might lead to recommendations or did lead to recommendations for change.

In the text that you have, there is a summation of the pros and cons by the faculty, by the administration, and by the deans. As it stands now, the report was turned over to Kathy and Jerry and, at this point, we are awaiting an official response from David Robbins and the administration. I am sure that the Budgetary Affairs Committee will be happy to continue this dialogue if deemed appropriate.

Some of the main highlights was that it seemed to have increased flexibility and increased positive incentives and eradicated some of the diverse disincentives associated with the traditional budgeting process. The areas of major concerns came to be OIT and Campus Facilities Services. If I could just proceed with the recommendations and skip some of the other observations, one of the things it suggests is that there be a systematic review of support centers that perhaps every five years we review one-fifth of the support centers, but every five years each of the support centers undergoes a review like we have been doing for the administrators. This would not specifically be a review of the director for Chancellor Bepko, but rather an assessment of quality of programs, quality of services, prices that the schools are being charged for services, whether or not there should be a shift from an assessment basis providing for the income for that service unit to a fee-for-service, whether or not there should be a realignment of the make-buy decision, etc. It might be necessary to bring in outside consultants for some of these reviews.

We also thought it would be important to clarify the roles and responsibilities of OIT and the roles and responsibilities of Campus Facilities Services because this seems to have met the greatest resistance in dissatisfaction from the faculty, deans, and the other directors.

In terms of participation communication, we recommend that the deans form an in-house Budgetary Affairs type committee and they can set that up however they see fit, but in the interest of sharing information, that multi-year expenditure budgets be put on reserve in the libraries and perhaps electronically and that these be updated annually.

Another main area was that there was concern that there be imperialistic types of behavior by different schools offering competing courses. So, we thought that there should be an Undergraduate Curriculum Review Committee that would be one step in the adjudicating process. That we need to establish a formal communication process in following the principles of subsidiarity and recommended that they start on chair levels and then dean to dean, etc. There would be a review committee that would look at these potential conflicts before they go to the administration and preferably be resolved before that point. We also felt that because of the budgetary implications that the Undergraduate Curriculum Review Committee should review most of the undergraduate program course changes that were recommended overall. Given the fact that some of the schools have a multi-campus dimension, we also felt it might be necessary to establish the university-wide Undergraduate Curriculum Review Committee paralleling the campus committee.

In terms of planning, we felt that it would be in everyone's best interest to move to a longer planning cycle. Currently, we do one year planning, but in part that is because that is the way we have always done it. We felt that perhaps at least a three-year planning cycle would be better for everyone and, if we could move to a five-year planning cycle, so much the better. We felt that it be imperative that the carry-forward provision of the units be maintained and that units carry three or four percent surpluses and they maintain the responsibility to carry forward any deficit. This morning we discussed with Bill the fact that the Trustees have provided some wording limiting or discouraging large carry-forwards in future and that in case of carry-forwards in excess of \$500,000, some notation needs to be made of that each year and provisions of how it will be expended, but there is not an intent to encumber any of those funds so far. The committee thought that was very important that that be not done. (i.e., encumbering carry-forward balances)

The deans and the faculty all felt that they should be consulted in greater fashion and more detail and at more length for new program initiatives. That came up repeatedly and they also felt that they should be used on a more

consultative basis. It was also suggested that a greater percentage of funds be retained by the Chancellor for use to lead in academic initiatives in terms of achieving the campus' missions. We also felt there is a need to integrate the planning mechanisms among the different units -- both academic and support. There were several suggestions about decentralization of Human Resource Management and the employee classification and numerous support of decentralization of that office, to the extent that it is feasible.

Perhaps more contentious, we suggests that we examine the size and scale of responsibility centers and examine recombination of different responsibility centers -- both academic and support -- to perhaps achieve greater economics of scale and to allow a more stable fiscal planning environment for those schools, particularly given that the enrollment figures have been more volatile the last couple of years. Are there any questions?

APPLEGATE: I wonder if the conclusions and the recommendations that we have will be a clarification of precisely what it is we are taxed for and what we are getting for our money?

ROONEY: Dick Fredland suggested this and I think this a good idea. When we do our personal income taxes, the government shows a pie diagram the delineates sources and uses of revenues, especially assessments. One recommendation was that something like that be done for the campus expenditures.

APPLEGATE: Maybe something a little more specific. The other is, when there are going to be shifts in the amount of taxation on the units, is there going to be some recommendation in regard to advance time for discussion and negotiation, because you may have your budget planned and be unaware of this new tax.

P. BLAKE: I am not sure I understand the first item under #5 -- Examine decentralization of the employee classification system...

ROONEY: I think that is an issue that came up mostly in the Medical School/Allied Health. There were some problems with the fact that they were individual responsibility centers and yet Human Resources was mandating that employees could only be compensated within a very narrow classification that may not be pertinent to, or most appropriate for, employees in that unit.

P. BLAKE: Could you give me an example?

ROONEY: Medical secretaries can command greater salaries in the marketplace than other secretaries. If they are defined as secretaries in the general sense, they can be compensated more if outside university they can demand higher salaries, so we are not able to retain them for any length of time.

EDENBERG: I think one of the more important recommendations is to allow the _____. I noticed that there was a sign _____ these are to be limited or looked at as being too large _____ one-half million dollars. It seems like an extremely small sum when you have big schools and big units with budgets of many (tens or hundreds of) millions of dollars.

ROONEY: We discussed this, this morning. There is a tension because the units are mandated, or at least strongly urged, to carry forward surplus of at least three percent of their revenues for revenue shortfalls. So, for some of these units that three percent would be more than \$500,000. The Trustees are saying though that the units must make a written justification and explanation on the use of those carry-forward funds in excess of \$500,000. For some units this is a non issue, but for others, this is a critical issue. At this point, there has been no attempt to restrict the use of those funds and I believe, if we continue to operate the way we have, the only difference is that now there is another step in the process.

BEPKO: It really stems from the Trustees who have had concerns about the appearance that is created by having an accumulation of reserves. I think that there is some political sensitivity associated with this. I think we are going to have to be more careful, more carefully accountable and also try to keep from building up reserves. Even though the purpose of those buildups is absolutely in the best interest of the university, we are still going to have to watch them very carefully. When I say it is in the best interest of the university, I mean that schools,

departments, and faculty groups set aside money for major strategic investments (purchasing of equipment or something of that kind) for good reasons. Although that is money that is earmarked all along, it shows up in the university's records as a reserve. We are going to have to be more careful to try to have these funds clearly earmarked so that there is no misunderstanding of what they constitute.

ROONEY: I think the question is, which is what the Trustees are facing when they specifically ask "Why does he need more money?"

STOCUM: Is there any indication that the process used (could not understand)

BEPKO: I think that there is an appreciation of that problem, but despite that, even if there is recognition that some of these funds are encumbered and are planned for various purposes, it is an opinion crafted in the political context of our times. They say that reserves are too large even though they are willing to stipulate that some or all of various reserves are really just money set aside for a major investment.

SPECHLER: Pat, as you know, there is an unstated assumption of RCM that everybody who is on the payroll is doing her or his job exclusively in the area where their salary is counted, or in case where that is not true, the salary is fairly allocated between the two responsibility centers where a person is doing the work. Now, we come from a school where many of our colleagues have been called on to do service in other center -- administrative, etc. I wonder whether or committee turned its attention at all to the accounting procedures for allocating the costs among those different responsibility center. In some cases people who are doing jobs elsewhere, probably very well, are on our budget and very seriously hinder the progress of our school because of that. I don't know if that problem was examined or whether it is general, but I would like to ask you to talk about that.

ROONEY: We didn't discuss that at all although we raised it as an issue. I guess negotiators within each of those units could allocate the respective "fair shares" of the individual's salary. If it seemed that someone is going to hire a person away for good causes, then they should pay part of that bill.

BEPKO: I think that this is an excellent report. We agree in substance with all of the recommendations. Some of the recommendations are very complicated and, while we agree in substance, they may not take into account administrative difficulties. We are drafting a response which will be sent both to the committee and to the academic community. I think the committee did a great job and, as Martin raises an issue about the shifting of costs, we think this proves the worth of the responsibility center system because eight years ago we would not have known about those things. We are able now to identify issues in an information rich environment that we couldn't before. Everyone understands who is benefiting and who is paying. It is a much healthier environment in which to operate overall. I think that is one of the themes that is found in the committee's report. It stands in parallel, I think, to the reviews and the openness of the highly developed lines of communication that we try to create with the administrative review process. We hope that the combination of those initiatives and other initiatives as well creates an open and highly communicative intellectual community where we make the very best decisions because we have the very best information.

TURNER: We will now turn to a report from Jean Gnat who is Chair of the Faculty Affairs Committee regarding the Conflict of Interest.

GNAT: I understand that you all received a copy of the policy on Conflicts of Interest. The Faculty Affairs Committee reviewed this policy last year and forwarded one suggested to the Executive Committee. That was on page two. The committee suggested that "The activities in Category II are conflicts of interest and shall be disclosed in writing by the faculty member and reviewed within the faculty member's school both sides." I believe that was the only change.

KARLSON: What do they mean by "both sides?"

P. BLAKE: I believe it means the administration and the faculty member.

KARLSON: Who are they disclosing this to?

GNAT: It didn't make sense to me at first when I read it, but I think the intent was that there would have to be a disclosure on the part of the person making the contact to the administration. The administration would have to acknowledge the receipt in writing that there is an understanding.

KARLSON: Let me give you a hypothetical situation. I have read through this and Category II does not deal with conflicts of interest at all. In fact, I don't know how to resolve this. I, among other things, have served on a committee for the Indiana Supreme Court. As such, I developed certain rules of efforts. I happen to be one of the authorities of the rules of efforts because of this. I had an attorney call me on the phone and ask whether or not a piece of evidence is admissible. Is that a conflict of interest when I tell him the answer to that based upon my work for the Indiana Supreme Court?

TURNER: We are not asking for a vote today so would you pass those along to the committee?

GNAT: I was just reporting that that was our recommendation to the Executive Committee.

EDENBERG: I was actually quite disturbed by the whole list of Category II Activities. On the first page it says ...to assist faculty members in avoiding conflicts of interest;... and then you define "conflicts of interests" as receiving royalties for scholarly works. Therefore, the University is dissuading people from writing scholarly works. The University cannot dissuade people from participating in the work of the federal government. These are activities that are normal faculty activities that bring honor to the university. They are not conflicts of interest. I would strongly recommend that the language on all of the Category II Activities be changed to say although activities in Category II do not normally create conflicts of interest, they should nonetheless be reported as a matter of information to the University. Because I find it quite disturbing to see these documents describing these as conflicts of interest when I think in fact they are all activities which are aiding the university.

GNAT: I think what we need to do is to examine these concerns. This document is based on the University wide...

P. BLAKE: There was a Conflicts of Interest Committee set up by Chancellor Bepko and all we did was respond to it. The only thing the committee found was to add the phrase "in writing by both sides."

KARLSON: That was an ad hoc committee.

BEPKO: I think it was the other way around. The All University proposal is based on this. It was taken from the federal government's guidelines on Conflict of Interest issues. The people who actually prepared this document probably ought to be here to answer questions if there are questions. The chair of the committee was Jeff Grove of the Law School, Henry, so you might go over and bend his ear about this.

KARLSON: I agree that these are not conflicts of interest. In fact, they are necessary for promotion and tenure.

TURNER: To a certain extent it takes a while to familiarize yourself with the whole discourse of Conflicts of Interest. It is not something we, as a group, have spent much time with. I think the committee needs to hear those reactions. I am sure they will go back to the originating committee as they need to.

GNAT: Are you suggesting that it will be on the agenda of a future Faculty Council meeting or should the Faculty Affairs Committee review this?

WARFEL: Wendell McBurney has been asking the faculty for comments on this document. This is not a document that the Council created, but one that we are being asked to comment on. I think that we have got comments to give them. If the Faculty Affairs Committee wishes to take the rewriting of it on as a big project, then we could do that.

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GNAT: I am looking at the past chair and the next chair of the committee and they are both shaking their heads.

UNKNOWN: I am sure it will be discussed at our meeting next Tuesday.

TURNER: Thank you.

AGENDA ITEM VII - UNITED WAY CAMPAIGN

TURNER: I would like to move to the next item on the agenda which is the United Way Campaign report. I would like to introduce to you the long suffering and very patient Michael Prakel *[laughter]* who is one of the co-chairs for this campaign. The other co-chair is Kathleen Warfel.

PRAKEL: My name is Mike Prakel. I am employed at the Conference Center. For the past seven years I have been a volunteer for IUPUI's United Way Campaign. I would like to report on how we are doing so far and what our goals are. The IUPUI United Way Campaign began September 21, 1994 with 100 campaign volunteers attending a training session. The 100 volunteers represent all departments at IUPUI and will solicit approximately 10,500 IUPUI employees. There are three campaign goals for the 1994-95 campaign: 1) Raise \$300,000 which is a \$9,000 increase from 1993-94; 2) Have 100 Key Club Members which are people who donate \$1,000 or more (an increase of 29 from 1993-94); and, 3) Have 50 percent participation from 50 percent of the reporting departments (31 percent of the reporting departments had 50 percent participation in 1993-94).

The co-chairs for the IUPUI United Way Campaign are Paula Parker-Sawyers (Center on Philanthropy), Kathleen Warfel, (Pathology), Barry Smith (School of Dentistry), and Mike Prakel (University Place Conference Center).

The campaign ends November 18, 1994. Donations will be accepted through December 15, 1994.

TURNER: Thanks Mike.

AGENDA ITEM VIII - QUESTION / ANSWER PERIOD

TURNER: Our next agenda item is the Question and Answer Period. You have 10 minutes for this item. That is 10 minutes for all the questions, not 10 minutes for one question. *[laughter]* Are there any questions?

N. ROTHMAN [Alternate for ALIPRANTIS]: Could we get an update on what Human Resources are doing about the Health Care plans for next year?

ROBBINS: I can simply report that, from the last discussion that I had with Dan Rives, the plan is in its final stages of getting administrative approval for the employee rates that are associated with the different plans. The good news is that by and large, in the plan options where there increases, they are modest -- in the neighborhood of four to five percent. In a number of them there are, in fact, decreases. You already know that the action was taken to eliminate the \$300 deductible in the PCI Plan. There has been a change in the provision for mental health services from the Accordia (PCI) to the IU Mental Health Care option. The open enrollment month, as has been the case in the past, is November. It is anticipated that the tailored package; (i.e., tailored for each campus) will be distributed sometime within the next week or two. We usually get those sometime a week or two before the beginning of the open enrollment period. Human Resources Management already is preparing for a series of workshops and meetings to discuss and explain the various healthcare options. It is my understanding that those individuals who participated last year in the \$300 deductible have been notified or will be notified that they will be required to make a determination of the new plan that they want, unlike the situation in previous years when changes in plans were made there was a default built in so that if you were in a certain plan option and the deductible was changed, you were automatically placed in the most comparable changed deductible level without doing anything. An important consideration is for those couple of thousand of people who are in the \$300 deductible level to know that they must take an affirmative action to determine which of the plan options they

want to elect this year. If there are specific questions, I will try to answer them, but without having been prepared, that is as close as I can recall.

KOLESKI: I would like the administration to comment about this. This is about faculty and RCM and RCB at the school levels. The lack of interest and knowledge in RCM and RCB on the part of the faculty is really astonishing. When the "RCM and RCB Five Year Review Committee" which worked through the spring and summer held meetings for faculty members to comment, the number of Review Committee members who were present outnumbered the faculty members. It seems as though faculty members at the level of the schools are, for the most part, not informed of the financial circumstances of their particular school. Some faculty members see the budget as a faucet at the school dean's level with the money flowing on demand from the University Administration and the State Legislature when the faucet is turned on. It would seem that, as an aspect of the accountability of a dean, there should be more effort on the part of some of the deans at the school levels to inform and share with faculty information about the source and expenditure of monies and the general financial trends that are emerging.

ORME: I note in the memorandum for the Task Force on Clinical Ranks that one of the items that the task force is being asked for recommendations on is concerns and status of librarians in regard to tenure participation in faculty governance. I was wondering why. This is on page four, item four. I would simply suggest that the first part be eliminated.

WARFEL: I think the topic comes up because the argument is made that we do in this university tenure our librarians, although librarians as a group are not expected to have a research commitment equivalent to tenure track faculty. The clinical rank faculty have a focus in clinical service and teaching in the clinical area. They are not expected to have a strong research program or any research program for that matter. If we are tenuring librarians but not tenuring clinical rank people, why is that? I don't think that the focus of the suggestion is that we should snatch tenure away from librarians but more that we should provide something equivalent to tenure, if not tenure itself, for our clinical rank colleagues.

SPECHLER: This is a question from President Brand. In an exchange that we had about an economic analysis of the decline of enrollment around Indiana University, he made the following statement which may be of considerable interest to colleagues. He said, "IUPUI should respond to the decline in enrollment by analyzing student demand creating programs that meet that demand and mark it well." "The single most important step", he said, "it seems to me is to focus on retention. Firstly, retention is more within the campus' power than other measures; secondly improved retention will have the most significant short term benefits and in the long term it will yield recruitment results." Here is his question. "Are you and your colleagues seriously discussing improved retention and are you prepared to make the changes required?" That is a question that I am hardly in the position to answer, but, I hope that a positive answer will soon be given.

BEPKO: I think that what he said is basically correct. I am not sure what the issue is that you want to raise, Martin. I think, to the extent that he has highlighted retention as an important issue for the campus, he is absolutely right. We have good news with respect to retention this year for the first time in a couple of years. The particular measurement we use to determine how we are doing in undergraduate retention has shown improvement. That is the first time in a couple of years. But, overall, our retention rates are very low. We have difficulty finding retention rates that are anything like ours among any of the institutions that we ourselves have identified as peers. We are the lowest in our peer group by so much that we don't even appear to be in the same league, although we have been working on retention strategies for many years. But, it is something that we have not yet finished and we should redouble our efforts every year.

BALDWIN [Alternate for D. Hoyt]: This is a follow up to a question that I asked a couple of years ago when I was here more permanently. I asked about the sign system, and particularly about the sign system for the gerbil tubes so people don't get misled. Nothing has happened. I noticed the campus map in the garage on North Street that people see doesn't even have the new library on it. If you stand there looking out, if people do, they see a sign across the street that says 'University Library', but it is not the right one. When is the sign system going to be updated to reflect the current buildings? I had a gentlemen coming to see me who was 20 minutes late because

he went to the 'old' University Library because he saw the sign that said 'University Library.'

BEPKO: I am not familiar with that specific sign, but in general, like retention, we are working on signs all the time and will probably be working on signs for many years to come. [laughter] We have hoped that some of the problems have been solved by the new signage system, but you are pointing out quite correctly that some new problems have been created. I think that, if you would give us the specifics, we will try to respond as best we can. These signs are expensive too. It is not something that we can do without cost.

TURNER: The ten minutes are up. Bernice just reminded me that there is a class scheduled to come in here at 5:30. I would like for us to "scoot" through. Those of you who are ready for the quiz can stick around. [laughter] Therefore, I would like to leave the 'Unfinished Business' unfinished and wait for the 'New Business' until the next time we convene.

AGENDA ITEM IX - UNFINISHED BUSINESS

Due to a lack of time this item was not discussed.

AGENDA ITEM X - NEW BUSINESS

Due to a lack of time this item was not discussed.

AGENDA ITEM XI - ADJOURNMENT

TURNER: I would like to entertain a motion for adjournment. [So moved]

**INDIANA UNIVERSITY-PURDUE UNIVERSITY INDIANAPOLIS
FACULTY COUNCIL MEETING
NOVEMBER 3, 1994
Law School, Room 103
3:30 - 5:30 p.m.**

Present: Administration: Chancellor Gerald L. Bepko. Deans: John Barlow, Angela McBride, William Voos. Elected Faculty: Henry Besch, David Burr, Michael Cohen, Carlos Goldberg, Linda A. Goodine, Dolores Hoyt, Henry Karlson, Juanita Keck, M Jane Keffer, Stephen Lalka, Eric Long, James McAteer, Dana McDonald, Richard Meiss, Debra Mesch, Bart Ng, Byron Olson, William Orme, Michael Penna, Rebecca Porter, Ken Rennels, Norris Richmond, Margaret Richwine, Edward Robbins, Carl Rothe, Jerrold Stern, Kathleen Warfel, Richard Wyma. Ex Officio: Barbara Cambridge, Edgar Fleenor, Paul Galanti, Richard Turner. Visitors: Barbara Albee, Erwin Boschmann (Dean of the Faculties Office).

Alternates Present: Deans: Rose Fife for Dean Walter Daly; Jean Gnat for Barbara Fischler. Elected Faculty: Richard Patterson for C D Aliprantis, Karyl Robb for Jeanette Dickerson-Putman, Linda Kasper for Karen Gable.

Absent: Administration: Vice Chancellor J. Herman Blake, Dean William Plater. Deans: A James Barnes, Trevor Brown, H William Gilmore, Roberta Greene, P Nicholas Kellum, Kathy Krendl, Norman Lefstein, Alfred Potvin, John Rau, David Stocum, Donald Warren, Charles Webb. Elected Faculty: Margaret Applegate, Biagio Azzarelli, Darrell Bailey, Merrill Benson, Diane Billings, Patricia Blake, Zacharie Brahmi, Timothy Brothers, Timothy Byers, David Canal, Lucinda Carr, Gayle Cox, Michael Dalsing, Paul Dubin, Howard Edenberg, Elizabeth Evenbeck, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Stuart Hart, Robert Keck, Raymond Koleski, Missy Kubitschek, Stephen Leapman, Lynda Means, Bernard Morrel, Nasser Paydar, Richard Peterson, Michael Sadove, Brian Sanders, Richard Schreiner, Jane Schultz, Lee Schwecke, Akhouri Sinha, Charles Slemenda, Jeffrey Springston, David Suzuki, Karen Teegarden, Jeffery Vessely, James Wallihan, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Charles Yokomoto, Susan Zunt. Ex Officio Members: Ronald Dehnke, J Vannoy Faris, Janet Feldmann, S Edwin Fineberg, Carlyn Johnson, Robert Lehnen, Virgie Montgomery, Byron Olson, Martin Spechler, Karen West, Student Representative.

AGENDA ITEM I - CALL TO ORDER

TURNER: Let's call this meeting to order. Having done so, we're through our first agenda item. We don't have the minutes from the September or the October meeting. They should be to you soon. I would like to remind you that the summary of the meeting will go on line the beginning of next week. Those who are not here can find out what happened at today's meeting. Let me also announce that the letters for the Unit Representatives and the UFC ballots have gone out. You should be receiving those soon. The ballots for the At-Large Representatives will be coming out next week.

AGENDA ITEM II - ADMINISTRATIVE REPORT - CHANCELLOR GERALD L. BEPKO

BEPKO: I have two items to report today. There is a memo available on the table on the Administrative Reviews for 1993-94. We have talked about these before. I don't plan to say anymore. I think the memo is self-explanatory.

The other item has to do with the speech that was delivered by President Myles Brand to the University Faculty Council in early October that set forth his thoughts about strategic directions. I think that it might be worth your while to take a look at the text of his remarks. They were reported in the IU Newspaper and are available in a number of other sources. If you would like a copy, drop us a note and we will provide one for you. The substance of his speech is that IU, as an eight campus university, should embark on a study of strategic directions; that it should engage in another examination of itself so that it can steer the right course for the next decade into the new century. His basic premise, as you can see from the paper, is that there is much going on in the world that we have to take account of. Probably for the first time universities are having to be more conscious of the environment in which they operate and that environment is very turbulent. There are winds of change that will affect higher education greatly. They already have to some extent and will more so in the future.

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Some institutions have turned, in response to these winds of change, to become more private. That is, public universities have become more private. He cites the University of Virginia, the University of Michigan, and even the University of Oregon where he served before coming here as examples of institutions that turned away from their public state responsibilities and let tuition float higher in the market; recruited more out-of-state students, and became less dependent on state resources. Sometimes this is referred to as a "progression" that may be applicable to universities like the University of Virginia, which started as a state university, became a state-supported university, then became a state assisted-university, and now is a state-located university. [laughter] He thinks, and I agree, that this is the wrong course for Indiana University. Indiana University, while it may be nimble, responsive and creative in the way it offers its educational programs, should focus on its public responsibilities and be among those universities that don't run together toward privatizing but turn four-square to their public responsibilities. He has invited the university community, over the next six or eight months, to examine what that would mean for us in the future. He has divided that subject, at least preliminarily, into eight topics that are going to be studied through task forces that will be appointed, probably within the next month. The eight topics are outlined in his paper, but let me mention what they are.

- (1) to refine mission and fundamental operating principles. That is where any good planning effort will start;
- (2) to integrate Indiana University more effectively with the public and private sectors, including the public educational system, business and industry, and government;
- (3) to focus on excellence in both teaching and research, how we achieve that and advance excellence;
- (4) to face the issue of accountability squarely and develop methods of making ourselves accountable so we can communicate to the public and to the state what we are trying to accomplish and then keep score in a way that is understandable to the community so they can be sure we are achieving what we said we would achieve;
- (5) to focus on strategies to make the quality of IU better known in the state, the country, and beyond, or another way of saying that is marketing the institution;
- (6) to focus on the problem of student retention. [That is something we have talked about a great deal here at IUPUI];
- (7) to enhance student and faculty minority attainment. [That is also something we have spent a great deal of time with here], and;
- (8) to continue the process of lowering costs, or containing costs, in all of our operations and to enhance the revenue sources that we have as an institution.

Over the next 30 days or so there will be a Steering Committee at work that will develop charges to the task forces that will work in these eight areas. The Steering Committee will also gather names from throughout the university. I would like to focus on that for a second. We urge all of you to volunteer or nominate others to participate in these task forces. There will be eight task forces with an average membership of approximately 15, 16, or 18 persons. As you can see, there are going to be more than 100 persons who will be asked to serve in these forces. There will be lots of opportunities for creative service and we urge you to select yourselves as volunteers or select others as nominees and let us hear from you. The suggestions for this can either be sent to the President's office or to my office. I will be serving as chair of the Steering Committee. Also on the Steering Committee will be Kathleen Warfel [President of the IUPUI Faculty Council], Paul Eisenberg [President of the Bloomington Faculty Council], Ken Gros Louis [Vice President for Academic Affairs and the Chancellor in Bloomington], Judith Palmer [Vice President and Chief Financial Officer], Dan Cohen [Chancellor at IU South Bend], Terry Clapacs [Vice President for Administration], and J T Forbes [Student and a Trustee of Indiana University - IUPUI student].

This Steering Committee which I just mentioned will recommend, and the President, along with the Trustees, will appoint these task forces in December. They will work through the spring term, and sometime in May or June 1995 will have reports which we hope are easily coordinated into a major strategic directions document - a compilation of all the task force reports. That will be distributed widely throughout the university so that there can be maximum commentary on the reports of the task forces. That period of commentary will last a

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matter of months leading into the 1995-96 academic year when the strategic directions paper will finally be in a mature draft form. It will never be in final form because these planning papers never are; but it will be in a mature form to be submitted to the campuses, schools, and the departments as the strategic directions of the university so there can be implementation, so there can be a response by all of the academic community to these strategic directions. That period of implementation will take at least the rest of the academic year so that I don't think that the planning process will be finished until probably December 1996, at which time, however, the shape and substance of Indiana University may be changing to reflect the charge that Myles Brand has given to all of us which is to make Indiana University America's new public university. We think it is a very interesting, exciting, and challenging prospect and hope you will get involved.

TURNER: In the midst of all of this talk about "steering the right course", "turbulent water", and "the winds of change", it would be a betrayal to my training as an English professor if I didn't point out that the metaphor, at least, has shifted. We are no longer a house with eight front doors, but now a ship that is steering the right course. So, you can throw away your bow ties and go find a sailor's pipe and learn to dance that tune.
[laughter]

AGENDA ITEM III - PRESIDENT'S REPORT - KATHLEEN WARFEL

WARFEL: I have a number of very brief items. One of the things that you had an opportunity to pick up at the door was a copy of the final language of the Balanced Case. I had lots of calls for the final version, so we are trying to distribute it as widely as possible.

The President of the Undergraduate Student Assembly, Todd Schmidt, has sent me a letter for a request for help and sort of a challenge related to a campus activity. On Tuesday, November 15 our basketball team is going to play the team from Slavokia and Todd is trying to fill the gymnasium for this event. I don't know what it would take to get all of you to go to a basketball game against Slavokia, but if there is anyway to induce you to do it, I think it would be nice for as many faculty as possible to try and fill the gymnasium for this event. You might find that you would enjoy the basketball games very much.

NG: Where do you get tickets?

BEPKO: You can buy them at the door or get them from the Office of Intercollegiate Athletics; or Bart, if you want to go, we will send you a ticket. How many do you want? [laughter] As a matter of fact, is there anyone here from that part of the university? This is an important year because we have a new basketball coach. He is an exciting and, I think, an extraordinarily talented young man and I think we should make an effort to attend. Therefore, we will arrange for tickets without charge for anyone in here who would like to go to the game.

KEFFER: Where is it going to be held?

BEPKO: It is in the gymnasium in the Natatorium Building.

ORME: Do you know what time it begins?

WARFEL: I don't know for sure but I want to say 7:30.

BEPKO: In order to let us follow up on that commitment, why don't you leave a note as to how many tickets you would like and where they should be sent. If you will do that as you are leaving the meeting today, we will be able to send the tickets to you well in advance of the game.

WARFEL: The United Way Campaign on the IUPUI campus has been going on for a little over a month now and we are about two-thirds of the way to the goal that was sent. We are sneaking up on \$200,000; so we have another \$100,000 to go. We have about 60 Key Club Members so we have a ways to go there too.

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Thank you very much to all of you who have donated. If any of you haven't donated and want to think about it a little more, there still is time.

The date has passed for the school promotion and tenure committees to have elected the representative, (or in the School of Medicine, three representatives) that the school is going to send to the new campus Promotion and Tenure Committee. The unit representatives from your school might check with your faculty president (or whatever they are called) and make sure that election has occurred and that name has been sent in.

I wanted to let you know about something that the Agenda Committee of the University Faculty Council (UFC) is working on behind the scenes this year. It has to do with the issue of the faculty interacting with the Trustees of the University. Last year at one of the later UFC meetings apparently the UFC did pass a resolution saying that they believe that we ought to have a faculty Trustee just the same way as there is a student Trustee. Whether that is a good idea, we are not here to discuss it at this time, but the Agenda Committee of the UFC this year does feel somehow obliged to pursue that. The pursuit is going to be in conversation with the President and the Trustees to see what can be accomplished. I believe that the real issue behind this resolution being passed was the sense that the faculty didn't have a very good way of interacting with the Trustees directly, didn't have much say about what the Board agendas had as items, etc. What we are doing this year is trying to delineate a way in which the faculty have more input into the meetings of the Board of Trustees. We will report back to you later on how that works out.

Chancellor Bepko has talked about the task forces which are going to be formed. I have already had several calls from people wanting to know how the faculty members of these task forces are going to be named. I think there are a lot of interest in choosing what everyone considers to be the right people to serve on these task forces. The Chancellor has already asked the Executive Committee to be thinking about lists. So, please any of you who want to make suggestions or who want to volunteer, there is no guarantee that we will get you on the list, but I am certainly very interested in compiling lists of people who are interested in serving.

The last item I have and the most important one is to bring up the topic of the new Council on Undergraduate Learning. As members of the Faculty Council, you all received, through the mail very recently, I think it had a cover letter with it, a copy of the charge to the new Council on Undergraduate Learning and a roster of the membership of the new Council. I brought some copies to be picked up as you came in. This Council has been formed, as the charge indicates, to give the campus a forum in which faculty and administration from all parts of the campus can come together to discuss and address issues related to undergraduate learning. There is already considerable discussion within the Council itself and certainly outside of the Council across the campuses as to what exactly this means. This is going to be a decision making body. Is this body going to be telling the faculty of my school what we are supposed to be doing? The idea behind this Council, certainly as I understood it, was that we needed some sort of forum where all of the parties could come and have a voice and thoroughly discuss issues so that the campus, not some isolated group, but the campus could come to some sound decisions about what will improve the undergraduate learning experience at IUPUI. I think what we need to do is to have discussion in this setting not about undergraduate learning, but about this Council. We can discuss it briefly today since this news to some of you who didn't read the mail or it didn't mean anything to you. We can discuss it to some extent today, but I think certainly we will want to discuss it as a Faculty Council in December. Clearly, if we can't agree on what the Council On Undergraduate Learning should and shouldn't be doing, it is not going to serve the purpose that we hoped it would serve. We have a fairly full agenda today. This is the last item I have for the President's Business. I suppose we could take a few minutes at this time, if anyone wants to make a comment about the Council on Undergraduate Learning. It will be an agenda item at this Council in December.

TURNER: I might remind you to identify yourself before you speak at these meetings for the purpose of picking it up on tape. We will take about five minutes to discuss this issue.

SPECHLER: I think we should welcome the Council on Undergraduate Learning as a source for innovative ideas, initiatives, and energy in improving the overall general education of our undergraduates. We should

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welcome their coordinating role among the various schools on this campus. At the same time, I think we should be aware that defining standards is predominantly a faculty initiative even by law. I would like some assurance that the recommendations from this Council, which are quite welcome and needed, will be referred to the appropriate all faculty committees for consideration and implementation.

EVENBECK: As someone who is on that Council and met with that group earlier this week where there was quite a bit of discussion about "what in the world are we doing?" and "how are we going to implement whatever we are doing?" I think it would be helpful to know, in follow-up to what you just said, to have some part of this statement indicate how recommendations will flow from the Council on Undergraduate Learning? To whom do they go? Just what is the status? There was a lot of discussion about that being unclear.

WARFEL: Martin is right to point out about the Faculty Handbook. The wording, according to the Constitution both at the University level and the campus level, over items such as curriculum, certainly school faculties have authority over the curriculum within the school. The tricky business is when it is curriculum that affects the whole campus that it should be this body that has the legislative authority over that curriculum. Many of this that this Council will be addressing are not the sorts of things that faculty can affective decide all by themselves, because they are not the only player involved. But, you are absolutely right. What we have to decide is, does this Council On Undergraduate Learning make final decisions about things? Does it make recommendations about things? Does it decide that they then become school options or are we really talking, in some areas, about a more cohesive operation? That is the crux of what we need to decide up front.

NG: I am a member of the Council and frankly I am somewhat confused by the vague language of the charge - to say that this is a decision making body. I think it would be very helpful to the members of the Council to have a clearer understanding as to what kind of decisions that the Faculty Council wants this Council to make. Without that, what I am afraid of is that we may start making decisions on matters that we have no business. I think that is a real concern. I completely agree with Martin that curriculum issues, in terms of general education requirements, should be voted on by faculty of individual schools. The Council should play a coordinating role, first of all, and also to resolve any conflicts. But, it should not get into details requiring which school should do what. I think that kind of decision should rest with the various schools. I think it would be very helpful if the so called "decision making role" of the Council is defined more clearly.

TURNER: We will get a chance to talk about it at length in December.

SPECHLER: May I make one quick reply? I am always happy to have support from Bart Ng. But, that is not the position I actually took. I agree on the whole that the school is the place for the decision making, but I think there may be some room for this Council and for campuswide faculty decisions in the area of general education. I hope my colleague will agree that there is some room for that.

NG: I agree.

TURNER: Is that all you have, Kathy? **WARFEL:** Yes.

TURNER: You really meant it when you said that was your final item? **WARFEL:** Yes.

AGENDA ITEM IV - FACET NOMINATIONS

TURNER: We have asked Barbara Cambridge, who is a member of FACET, to talk about FACET groups as we announce this call for nominations. The call has gone out from the Chancellor and Barbara is going to talk about that. She has two pieces of paper which you should have picked up as you came in. The first is a white sheet and the second is an orange colored sheet.

CAMBRIDGE: The white sheet on FACET purposely has the chronology out of order and that is, it says Past,

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Future, and Present because the past and future, I think, impact what we want to be doing in the present. As most of you know, FACET is an organization of teachers who are selected in a peer review process across our campuses. That acronym stands for Faculty Colloquium On Excellence in Teaching. Its agenda has always been to bring together excellent teachers who can work together on improving teaching and on rewarding teaching on all the campuses.

The future, however, is going to add extra incentives for being part of FACET. That is, the Board of Trustees' Joint Committee on Learning has a subcommittee called the Subcommittee on Faculty Development. That subcommittee has recommended to the Joint Committee that FACET provide leadership in developing a plan for faculty development at Indiana University. This plan is not being generated to duplicate any of the wonderful work that goes on, on various campuses. We can feel very proud that IUPUI is a leader in faculty development -- in its scope and in its depth. It is, therefore, not a plan to try to duplicate anything that is being done on any campuses, but in fact to augment and in particular to draw together efforts across the campuses to link up teachers across disciplines, within disciplines, around different areas of pedagogy in which we might be interested.

FACET members, along with a number of other people interested in teaching, have drawn up a plan. The three major program objectives are listed at the bottom of the first page: (1) Making teaching count; (2) fostering faculty development; and, (3) rewarding teaching excellence. The plan suggests very specific ways in a more extended form, which I would be glad to send to anybody who is interested, to extend campus discussions of teaching to foster a statewide exchange about pedagogy, teaching evaluation and assessment, and defining excellence. The plan proposes activities for the next four years. The four-year plan moves from establishing collegial interaction and creating connections to moving toward teaching outreach in extended programming and planning. This plan will go before the Joint Committee at its next meeting this month.

The reason I think this information is important is that we are right now on this campus being asked to nominate people for FACET for this next year. FACET members will have the same excellent opportunities they have had in the past, but they will also have more extended opportunities with this new plan for faculty development. If you are interested in being nominated, ask a colleague to do so. If there is someone within your department or in your school, or across the campus who you know would make a good candidate for FACET, please do nominate that person.

The other exciting feature of this plan for faculty development is that it will not be limited to involvement with FACET members. That is, it is especially designed to include people who are not a part of FACET now or not part of FACET in the future. Therefore, your involvement is solicited. I have put down telephone numbers of people who you might want to call if you are interested. One is Emita Hill who chairs the Subcommittee on Faculty Development of the joint committee. Emita is the Chancellor at the Kokomo campus. I have also listed the three people from IUPUI who serve on the joint committee: Kathleen Warfel, Chancellor Gerald Bepko, and myself. We would be glad to talk about opportunities and particularly, as Jerry said, about President Brand's creation task force to look at excellence in teaching and research. Then, certainly, Erv Boschmann is always a person we turn to for these things. Available from Erv's office is a list of FACET faculty members; these are people who also can talk about FACET and explain what has gone on in the past about FACET.

In the last paragraph of the report I ask you to be on the lookout for the next IU Newspaper which will contain the report of what I think is a very important conference that was held on October 14 on this campus. It was an all University conference looking at faculty roles and rewards, and it focused particularly on teaching. President Brand gave what I found a particularly inspiring and insightful talk on that day in that he made very clear what his philosophy is regarding excellence in teaching and the other areas of faculty work. He also made some very specific suggestions to us about things that we as a faculty might want to consider in the way of our teaching excellence and our documenting and rewarding of that teaching excellence. I simply call your attention to that: it will be published in the IU Newspaper for us to read.

With all of that, my main reason for being here is to encourage you to nominate yourself through a colleague or

a colleague for FACET for this year. Thank you.

TURNER: Thank you, Barbara.

AGENDA ITEM V - CONFLICT OF INTEREST DOCUMENT

TURNER: We now turn to the next item on the agenda which is to return to the Conflict of Interest. This discussion will be led by Kathleen Warfel and Jeffrey Grove. You should have a copy of the document.

WARFEL: Isaac Levy is here also to answer questions. Let's remind ourselves of where we are with this. At our last Faculty Council meeting we had on the agenda as a point of information a new IUPUI Policy on Conflict of Interest. We got a lot of comments from the Council regarding it. We look those comments and asked Jeff and Ike to contact specific people who had made comments. What we now have before us is another version of the Conflict of Interest document for the campus level.

One of the things that came out in our discussion last month was that the Council members didn't understand entirely why we needed such a document at the campus level and what exactly we meant by "conflict of interest". The School of Medicine, which has a lot of interaction with outside funding agencies, has had a conflict of interest document for quite a while. It is a far lengthier, more complex and detailed document than this. For an institution who deals with outside agencies it is very useful to have on the record an official institutional Conflict of Interest document. That is what this is intended to serve as.

What does it mean "Conflict of Interest"? There was a lot of frustration last month. The conflict is not so much about the interest, but about financial arrangements. The conflict could arise because as a faculty member earning a university salary one would be spending so much time working on something with an outside agency and getting so much money from an outside agency that it could in fact become a real conflict of interest -- working for the university or working for this outside agency. I know that you haven't had time to study this but it is a relatively short document. The introduction is followed by a number of definitions, but the real part of the document begins on the second page under GUIDELINES FOR IDENTIFYING CONFLICTS OF INTEREST.

You will recall that the "conflicts of interest" were divided into two levels and those in Category I were separated from those in Category II. According to the current version of the document, perhaps it would be best if we turned to page 2 in the guidelines. The policy calls for [reading from document]

"disclosure, review, and avoidance or resolution of such conflicts". Those in Category I shall be disclosed by the faculty member before any definitive action by the faculty member takes place, and shall be promptly reviewed within the faculty member's school. Such activities may be permitted after disclosure and review...

Those in Category I you would essentially need to follow your school policy, disclose them, have an agreement that this is okay with everybody before you went ahead with the activity.

Those in Category II shall be disclosed by the faculty member and reviewed within the faculty member's school but these activities are ordinarily permissible because they are traditionally acceptable or generally involve minimal financial interest. Category II activities, yes you need to let your school know what these activities are, what these financial arrangements are, but not before the fact, only eventually, according to your school policy, which your school would develop.

Do you have further questions about this document? This is still, as I understand it, a draft. I think some feedback from the Council at this point would be in order.

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J. GROVE: May I say something? To save the valuable time of the Council beyond what I think might be necessary to understand what has happened, we would like to speak briefly about how this document was produced. Frankly, I am not sure what the status of it is now. I don't know exactly why it was brought to the Council last month or what is contemplated now.

Let me say briefly what has happened here. In the Summer of 1993 the Chancellor appointed a committee on Conflicts of Interest. There were 11 of us on the committee representing nine different schools. Isaac Levy was there from Research and Sponsored Programs. We met through the Fall. We began in September and produced this draft document in December, 1993. After that, last January the Chancellor said that he, Kathleen Warfel, Richard Fredland, and perhaps William Plater had been talking about it and had a couple of questions. I tried to react to them. Then I heard nothing more about it until I learned that the draft had been brought to the attention of the Council last month and had produced some comments. I was advised generally of what those comments were and received some comments since that time. Ike Levy and I then got together a couple of times and tried to make some proposed revisions to this draft that would take into account some of the comments and some of the criticisms which we had heard. I had occasion to talk with my colleague Henry Karlson a few times since then. I don't think we have been entirely successful in accomplishing that. But, that is what we tried to do. I just want to emphasize what Kathleen said. We haven't yet circulated these proposed changes to the committee that produced this document over a year ago. I suppose that will be done, if it is to be done, at the right time. But, the changes that have been proposed are simply ones that Ike and I have tried to work out in light of comments we have heard.

I have just one or two other things. I understand, and I have been reminded within the last couple of weeks, that there is concern among faculty members about the potential for over regulation of faculty activities. I understand that. I fully sympathize with it. I hope this draft isn't seen as an attempt to engage in that kind of overregulation or super over-sight of what people are doing with their work life. On the other hand, I think it is reasonable, and I think this the view that the committee ultimately came to, to try to seek ways of avoiding potential conflicts of interest that can arise. Our focus in this document is primarily on the kinds of issues that can arise when a faculty member develops relationships with external agencies outside the university. It may, from time to time, raise questions about the integrity or objectivity of the faculty member's university research. By that, I mean university research that is likely to be disseminated and reported, however, that is done in the various disciplines. Our approach, as you will see here, was to try to devise a generalized kind of policy that individual schools can adapt for their own purposes. Our thought was that different kinds of issues arise in different disciplines; maybe we can create a blueprint and leave it to individual schools and disciplines to work these problems out in light of the problems that actually arise within those schools. Finally, the reactions I have heard have been varied. Some have said, "First, it's the wrong approach. We should do this from the ground up. Each school should be asked itself to develop its own policy. Forget about a general policy." Others have said "The disclosure and review procedures of the kind you are talking about here are simply too burdensome. They are not cost effective. They put people through too many hoops. It takes people away from their primary work." Other have said, "We are worried because we think this kind of information, these kinds of procedures could be misused by the powers that be. It could be used in punitive ways." We don't think that is likely to happen, but recognize that it is a concern. Then, someone said, "Look, what you are doing is trying to create a problem looking for a solution. There is no problem here, therefore, we don't need anything to be solved. Therefore, why have you spent the time you have doing this?" I think the draft policy may have some problems. I can name a couple of proposed changes. We are here today to try to react to questions that you may have. I would just say this. I don't think either of us is prepared to try to react off the cuff to every kind of imaginable, hypothetical question you might raise about "how this will be applied in my school to this situation." I think some of these problems can be complex enough that somebody has to sit down, look at it, think about it, and work it out. So, that is how this document was produced. That is what we are trying to accomplish. I have no doubt that there are some flaws here and that there are ways in which it can be improved. To the extent that we can provide any insight here about what has been done or what we have tried to do, we will.

MEISS: On the first page, under Definitions, Family Member means the spouse and dependents... It seems to

me that potential conflicts of interest can arise with parents or siblings, etc.

J. GROVE: I think that is true. The committee spent a lot of time trying to figure out how to do this. We arrived at what seemed to be a kind of compromise. We used the word dependent and by that I think the committee meant spouse and members of the immediate family. It seems to me that if a school wanted to impose a stricter disclosure requirement, they could do so or perhaps this document itself be broadened.

MCBRIDE: I would like to speak to the same point and say that I am concerned that the document emphasizes "family members" because I have seen a number of instances where we get into the same issues with housemates. You can have a conflict of interest in other situation. I think that the language is overly traditional because it does not define other areas of conflict that are possible

GROVE: I think that is right.

KARLSON: I felt so strongly about this that I made copies of the proposed changes and distributed them to the members of the Law School faculty and requested from them at the last faculty meeting, where I distributed these, that they contact you with their comments. I will say that those faculty members, which not necessarily a small number, saw fit to comment and they were uniformly negative. Maybe it is just the nature of lawyers. [laughter] But, I would point out that I still have some difficulties. For example, on Page 2 where it says GUIDELINES FOR IDENTIFYING CONFLICTS OF INTEREST, I think what you really mean is Guidelines for Identifying Potential Conflicts of Interest. You are not saying that these are conflicts of interest, necessarily, but they are potential conflicts of interest. I think there is an important distinction between saying "these guidelines identify conflicts" of interest and saying "these guidelines identify potential conflicts of interest". I won't go into the importance of that, but I would point out that I have some difficulty, and I will give you an example. Let's look at Page 3.D. "A full-time faculty member or family member..." Before, we were talking 'about spouse', now we are saying 'family member' which is obviously a broader term.

I do a lot of research in the area of child abuse and neglect. I received a phone call from the American Professional Society, of which I am a member, and they said, "We are making up the ballot today and will you accept a nomination for office on this ballot?" My answer was, "I can't do it. Indiana University's guidelines says this is Conflict I of the category for conflicts of interest. And, until I can find out if there is a conflict, I can't take or accept any such offer." Then they said, "Sorry about that. I guess we will have to nominate someone else."

GROVE: Henry, may I ask you a question on that? Is the problem there one of finding that when you are called you have to give them an answer right away?

KARLSON: There is no problem with timing. It says under Category I cannot take any action until such time that it has been reviewed and approved by my dean. May I add also, the language says "may be", it doesn't say "has to be." In both Category I and II they maintain the authority of the University to refuse that right. So, it is not a matter of just disclosure, it is a matter of disclosure (could not understand)

The second thing that my wife wants to start Hoosiers against Child Abuse. I think it is a wonderful idea. I dislike child abuse. But, she can't because the University can't tell her she can't do it, but I better report it ahead of time and they can tell me I can change my area of research now, because they can't tell her that she can't do that. So, the only alternative is that I now change my area of research.

My son who is my dependent is away at college. He wants to accept a position on an organization against child abuse. Now, anyone trying to tell a teenage son what they can and cannot do when they go to college is a person who is used to dealing with frustration. But, I had better tell my dean that my son wants to do this because otherwise I am subject to whatever penalties the University feels appropriate. Obviously, it is as bad, I don't care what you say, I am going to attend this local committee on child abuse and I have to change my area of research because my dean I have to. I can't help it, but I don't think that is beneficial to Indiana

University.

UNKNOWN SPEAKER: It surprises me how bound up this group gets over the silliest issues. I would suggest that we could raise questions to all kinds of things in here and we could shoot them down or not shoot them down. It is silly to do that. It is a waste of time. If we are going to be a real university, then we ought to have a policy on conflicts of interest. Other real universities have those things. This is about as *obnoxious* a thing as I can imagine. If you want to see something that is intrusive, look at the School of Medicine's policy on conflicts of interest. It is very extensive. We can argue over this for hours, hours, and hours. This is something that we need. This is fairly *obnoxious*. It is very straightforward. This allows schools to go ahead and refine it if they want to. I see no reason not to go ahead and approve it.

ORME: I have a more fundamental question. On page two, under Guidelines for Identifying Conflicts of Interest, there is reference to the *Academic Handbook of Indiana University*. I am wondering if Indiana University and Purdue University have their own policies regarding conflicts of interest and whether there is potential for conflict between conflicts of interest policies? *[laughter]* If so, what happens at that point?

J. GROVE: I don't know if Purdue has a conflicts of interest policy, but I am told that the Indiana University is in the early stages of trying to produce a policy which would have application systemwide. I think my friend Ike Levy is doing some work with that group. I think it is coming. I think part of the impetus for this draft policy was that it was known that this is something that Indiana University is moving toward. In addition to that, it is also known that there are a number of disciplines on campus whose research is subject to the jurisdiction of the National Science Foundation, the Public Health Service, as a couple of examples. They now have conflicts of interest policies of this sort, and I think much more detailed, in place and calling for universities to develop their own in light of those.

ORME: To follow that up, if Indiana University then develops a policy, does it take precedence over a policy developed here and how does that affect Purdue schools?

BEPKO: On this campus we're vested in Indiana so Purdue's conflicts of interest policy would never become relevant. I think if there were a university-wide policy and it was adopted by the University Trustees with the intent that it preempt all other policies, then I think it would be the only policy that we would follow. It seems to me that what is being worked on right now is entirely compatible with this. Is that right, Ike? In fact, they are using this as a model for the Indiana University policy.

I. LEVY: The intention, at least at this point, is that the campus is going to be able to develop their own policy under the umbrella of the whole university policy.

ROTHER: When you changed from the "business" to "external entity" we now seem to have less clue as to what a "conflict of interest" is. I presume you mean monetary profit?

J. GROVE: I think in most cases the potential for conflict becomes most apparent where there is some real possibility of financial gain. I don't think it is necessarily limited to that. For example, Henry referenced a provision that talks about a faculty member having an executive position in an external entity engaged in the faculty member's area of research. I suppose that could be a public entity or it could be a non-profit entity and the faculty member's work would not be reimbursed, but the position taken by that entity in which the faculty member holds an executive position may be seen as having some potential influence on the way that faculty member's disseminated research would be seen and understood.

ROTHER: It seems to me a very, very broad area when you get that vague. I would strongly suggest you put a definition in for what is 'conflict of interest'. You define everything else. An important question: What recourse is available to a faculty member after the recommendations are reviewed and the administration has said "No, you shouldn't" and the faculty member disagrees? To whom does the faculty member then go?

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I. LEVY: That again is something that could be put in here.

ROTHE: A final question on item E. on page 3 "A faculty member or family member serving on the board of directors of a external entity from which that faculty member receives University-supervised sponsored research support." I don't see what the conflict is there. That is great! That is the kind where you are being able to get funds into the University rather than getting profits from your university activities.

I. LEVY: Frankly, I think that is generally a fairly classic conflict situation where you are in a position of directing the funds into the university and on the board of the organization. It creates the impression that your research can somehow be colored by your association that organization. That is one that doesn't come up very often.

KEFFER: As a member of a practiced profession, and I am sure there are others identified with that, it is requisite on me to keep my credentials up in my class and I have to work, in addition to my faculty role, a significant time [approximately 8 hours per week] -- every week. There is no clinic on campus that I could volunteer my services as a nurse practitioner to do that. So, I work at another university. Is that a conflict of interest?

WARFEL: On the bottom of Page 3 it does specifically say compensation for activities related to the faculty member's University research. It becomes a little muddy. When is your university service, your university teaching, or your university research area...

KEFFER: I can see Medicine in that, perhaps Social Work.

WARFEL: Perhaps this is an area in which the School of Nursing would be too because this pertains to your special setting that your school would need to address.

KEFFER: It is also necessary for us to maintain expertise in a clinical setting.

GROVE: Do you reveal to your school when you do this?

KEFFER: Yes.

GROVE: Is there any problem with your doing this?

KEFFER: No. I do it on my own time.

GROVE: I don't know much about those concepts, but it seems to me the important thing there is that you do reveal to whatever the committee or the administrative officer is in the school that you are doing this. It doesn't sound to me as though that is objectionable. It is probably encouraged. So, I don't see that it becomes a problem.

KEFFER: But, do I turn my salary from that back to the University? Would that be necessary?

TURNER: I don't think so.

BEPKO: But, now that you have mentioned it. [laughter]

EDENBERG: As one of the people who raised a number of objections at the meeting, I think in many respects the changes are in a favorable direction. I am not sure they are entirely adequate, though. I think some of the problems come from the change in phrasing to the more inclusive "outside entity" rather than "business." Whereas I can see any more classical conflict of interest, as Mr. Levy pointed out, in being on the board of directors of a private business. I don't think that same prior scrutiny should normally be necessary to take part

in a national organization or a professional organization in which the school takes pride in its faculty members having leadership positions (serve on boards of directors, serve on editorial boards) (which are, in some cases, compensated and in some cases not). I think in that case trying to become more encompassing and talking about external entities instead of businesses causes some problem. I think that in some cases there are federal advisory bodies and professional organizations that should explicitly be defined as being in Category II and normally permitted without prior notice, and notice of leadership roles would be given some time after the fact when they relate to professional organizations, professional journals etc. It is conceivable that a conflict could arise due to service on such bodies, for example if the people spend more time on them than they do on University work. It could become an issue of concern, but, nonetheless, I don't think it is the normal type of conflict that should undergo the kind of prior approval that would be appropriate in the case of a leadership role in a private business.

GALANTI: I have listened to a lot of these comments and my first reaction is that, an awful lot of the points that people are raising about "should this be disclosed?" are things that we are perfectly pleased to include in our CV, to include in our annual reports that we turn into the dean and, hopefully, are taken into account when salary determinations are made. I am having a little trouble when I hear "Well, I can't make all these commitments when, in fact, doing these commitments they do benefit the school and at the appropriate time we would be perfectly happy to tell our dean that we are doing these things and hopefully the message is, "Look how much our service is to the University, to society and when dollars are determined keep that in mind."

J. KECK: When I read the introduction I read this policy as it conforms to research activities, not some of the kinds of activities that we have been bringing up. Am I not correct that this is referring primarily to research?

LEVY: I would say that the committee's main interest was inclined to address those issue that can arise when a faculty member's relationships with some outside entities; let's say business, you would refer to business as a profit making entity. Or, an outside entity could be seen as influencing the character, nature, integrity, objectivity of the university research work which is being produced and disseminated for others to look at. I think that, with respect to almost all of these, that is the focus that we wanted to take.

KEFFER: If that is so, you can't have my salary for the basketball tickets. [laughter]

EDENBERG: I have two points. One is that I think a clearly thought out statement about just what constitutes the type of conflict of interest that we are trying to prevent would be a great addition to this document. It should spell out exactly what it is trying to address, rather than just state the words "conflicts of interest". The second is that there are things that are service oriented but also related to research: membership on a board of directors or president of a professional organization that deals with one's area of research. As I said a moment ago, these should not e Category I, and should rather be covered by a generalized, perhaps annual report after the fact. I think that some of these things, especially in Category II, should need only to be reported in general rather than requiring an incredibly detailed list of every seminar and minor consultation.

GROVE: I would hope not. I would assume that various schools would make clear what the level and extent of this disclosure is and that it is required.

KARLSON: I have two points. Indiana University has a policy stated in our Academic Handbook that you can earn up to 20 percent of your base salary while you are working at the University. That is stated right in the Academic Handbook. So, I guess by stating that, we are saying that anything under 20 percent the University does not see a conflict. Are we to report this 20 percent? Is the University not concerned with the 20 percent so long as we mention it?

The next issue which I wish to mention is, the Category I the main objection which I hear is not that you have to report, and virtually everything in Category I, except for the activities of my wife, I am already going to be reporting if I am going to list this in my accomplishments. What I object to is the clear requirement that before

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I accept such an office, I must notify and obtain permission from my dean. More importantly, the implication is that without that I can't do it. There are no guidelines contained in this document or anywhere else listing the criteria to be used in determining whether or not he is going to allow me to perform any of those acts stated in Category I or Category II.

SPECHLER: I think there have been a number of rather weak points here; we might be preventing otherwise, useful activities. I would like to remind the committee, when it does, what I assume will be some revisions, that Indiana University has a new policy on Intellectual Property. It may not have reached your attention but it was just passed. It deals with many of the same issues, requires the agreement of an academic officer on as many of the activities of this sort. While it is my impression that nothing in our document conflicts with that document, I think both documents are complicated enough to bear some checking by expert legal counsel.

BESCH: There is, as you know, Martin, an All-University committee which is formed to deal with new issues that arise under that policy. I am on that committee and I will be happy to take this to the first meeting of that committee which will be I think next Tuesday.

WARFEL: Are there any other comments? Thanks to the Council and thanks to both of you for being here and all of the effort you have put in on this document. It is appreciated. Thank you.

AGENDA ITEM VI - JOINT COMMITTEE ON LEARNING DOCUMENT REGARDING PART-TIME FACULTY

TURNER: We will move on to Item VI, the Joint Committee on Learning Document Regarding Part-time Faculty.

WARFEL: This is sort of a "for your information" and your comments today or next month or anytime in between. To refresh your memory, the Board of Trustees has a Joint Committee on Learning: Teaching and Scholarship related to what Barbara was talking about the FACET. The Joint Committee has several working groups within it. This is the final report that came out of the working group on Part-Time Faculty which then became known as the "AI and Associate Faculty Working Group". As you can see, there are recommendations that were adopted by the Joint Committee as a whole. Part I went to the Board of Trustees and they endorsed Part I.

Part II goes to the University Faculty Council. As several people have pointed out, Part II suggests that things be done that we actually already do on this campus. One bone of contention has been the recommendation in No. 2 of Part II. That recommendation being that we should refer to "part-time faculty" as "associate faculty". The argument, of course, is made that it becomes very confusing to the public and to some people within the institution what the difference between an associate faculty member is and an associate professor. Are there any comments on this now or next month or in between.

TURNER: It will be coming back to this body next month.

SPECHLER: Do you want any discussion from this body?

WARFEL: Feel free to comment.

SPECHLER: I am the chairman of the Faculty Affairs Committee of the University Faculty Council and had a chance to study this. My principle objection has to do with Part I. I think, as most of us would agree, that associate instructors and associate faculty are very important and their effective teaching is extremely important on this campus and well as several other campuses. However, my objection is that the campus level office division here is not the proper place to supervise their activities. It will contribute to what I regard as over centralization of this campus. At present our department has always supervised the activities of associate faculty. We don't have any AI's, but we do have many so called "part-timers". Departmental supervision has

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been effective. We have occasionally dismissed ineffective or incapable instructors. I assume that other departments are doing likewise. The department chair and his/her colleagues seem to be the proper place to supervise associate instructors. They know the subject matter. They hire the people. They evaluate their people. They hear the complaints. They will do this at a minimum cost and, it seems to me, that to encourage Part I will overload campus level activities which are already overloaded with this kind of activity to no apparent purpose.

WARFEL: Do you think that the UFC Faculty Affairs Committee will be bringing a resolution about that to the UFC?

SPECHLER: I thought so, Kathleen. But, until I heard what you said, Part I is not going to be referred to UFC. Is that right?

WARFEL: The joint committee did not refer Part I to the UFC, but the Agenda Committee of the UFC certainly thinks that it can come.

SPECHLER: I guess there is a chance to comment on something of this sort. This is really quite an important issue for the quality of the teaching on this campus. I am not disparaging for one minute the capability or integrity of people at the center for doing sort of thing, nor their interest which is great, but, rather their proximity to the issue. I think that in our department all the chairs have been very interested in this matter and very active and I would say, on the whole, quite effective. I think that this is really a departmental or let's say, at most, a faculty matter and not properly a matter of the central administration. I would be glad to hear the response of other departments with large numbers of associate faculty such as the English department or the math department.

CAMBRIDGE: As a person who sat on the subcommittee that generated this report, I would say that Part I is primarily designed to be sure that this work is being done. There was no sense that work would be more properly done in a central way than within the schools and preferably within the departments. If you will notice this asks for reporting methods so that departments, like economics, like English, and like other departments, would work very hard with their associate faculty, would report out the work that they do to a central office which would then have that information noted that work is being done. It is very important, I think, that we be able to describe the work that we do and have that information available for people who are very concerned about teaching on our campus. This is probably the most noxious way to do this. There are other ways that we might be asked to deal with the more intrusive.

NG: I think we probably have more part-time or associate faculty than any other department on this campus. The problem I have with Part I is not its intent, but it seems to me that Part II, the spirit of it, is to make sure that associate faculty are treated as part of our colleagues, etc. And, so to have them singled out as a group, the activities of which are to be reported seemingly through a separate channel, seems to go contrary to the spirit of Part II.

Secondly, I don't see any difference between reporting on activities and evaluating full-time or part-time faculty. There is no difference between those. If their ability or lack thereof to teach in the classroom, they are subject to the same kind of evaluation. Unless you want to create an office of Dean of Associate Faculty, that is what it seems to say, I don't see the point. Being faculty is faculty -- full-time or part-time.

Also, I believe there is already in existence on this campus a fairly extensive document which was the result of a committee on, I believe, an extensive survey about how we can lessen the load of our part-time faculty. The mechanism is already in place. I know that my department is in compliance with it, so I think this is something that is answer to a question on an issue that doesn't seem to exist.

BEPKO: Maybe I can help with this issue by giving you a reaction from the campus administration. As I see it, this is mostly a reporting requirement. This is not something that would cause the IUPUI campus

administration to want to interject itself, or intervene, in substantive matters involving part-time faculty. I think we have to work out some kind of reporting relationship that is not nearly as elaborate as the reporting relationship for full-time but faculty that would give the campus administration an opportunity to answer questions, if asked, about the number and credentials of part-time faculty and what programs were being established to help them become acclimated in the academic environment.

TURNER: Thank you.

AGENDA ITEM VII - CONTINUED "MAJOR ISSUES" DISCUSSION:
PROCEDURES FOR DISMISSAL ON GROUNDS OF MISCONDUCT - DISCUSSION ONLY

TURNER: I have just been notified that today's meeting cannot go until 5:30 because there is a class in here at 5:30. Therefore, we need to aim for approximately 5:25. We have at least two items left on the agenda. I would like to divide the time between the two items. We will leave Unfinished Business and New Business both unfinished.

I would like to open the floor for about seven minutes until 5:15 regarding the matter of "Major Issues" Discussion on Procedures for Dismissal on Grounds of Misconduct. This is for discussion only, but we need to discuss this. This was not discussed last spring in detail. We need to get this discussion started. Where is the policy is now is that it sits in the Faculty Affairs Committee's deliberations. The Faculty Affairs Committee would like to have discussion within this Council for the committee to do its work. What I would like to do is begin this discussion. What I don't remember is how much of this document you have committed to memory from last spring. [laughter]

Let me very briefly read the definition of alleged misconduct and at least get start with that. Then we can continue the discussion in December. I should mention that you have before you the document which is a copy of a position paper drawn up by Kathleen Warfel on the issue of misconduct specifically regarding reassignment of Faculty Work.

Dismissal of tenured faculty member or librarian on grounds of misconduct shall be sought only in cases that involve serious personal or professional misconduct. The basis of misconduct may involve, but is not limited to, matters of felonious behavior, fraud, misuse of resources, sexual harassment, plagiarism, falsification of reports or research findings, or a persistent willful failure to carry out the basic tasks expected of a university professor or librarian as understood in the academic unit of the individual.

In the course of dismissal for misconduct proceedings, only information or evidence that relates to the alleged misconduct may be considered. In particular, University policies with regard to equal opportunity, academic freedom, academic ethics, and discrimination shall be observed, specifically with regard to the eight items listed above in Section I.

Those are the eight items which we talked about last time in regards to dismissal for incompetence. It provides for an informal discussion period with this charge. The charge is initiated by a dean or above. It may begin with the recommendation of a chair or a section head, but it is initiated by a dean or above. If it is not resolved at the point of the informal discussion period, a formal proceeding similar to the one for incompetence is begun. So, that is where we are with this.

EDENBERG: For those of us who were not in this body last year, you are asking us to talk about an issue that we have not seen any documents on. Therefore, would it be possible to recirculate the document?

WARFEL: If I might comment, the Faculty Affairs Committee was charged to be aware of the previous drafts -- be aware of some preliminary comment about them and to come forward with basically...

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GNAT: May I speak to that? Some of the areas of concern were the specificity of the things that are considered misconduct. We are working on that. We are working on a draft statement. The question of peer review is being addressed and the additional informal process. We are just about at the point where we are coming out with a draft for the informal process that we think addresses some of the concerns. We have changed some of the language in saying that isolated actions are not... You have to be persistent in misconduct in order for it to be sincere enough to be a consideration of dismissal. There was a concern that it was an either/or and we are trying to address that issue. Is there some place in between? We have begun to address the formal procedures very briefly in saying that if someone is going to be dismissed for misconduct, it should be a situation where they can automatically assume that they will be granted a Board of Review. It should not be a matter of negotiating for a Board of Review.

WARFEL: It is, of course, awkward to have this on the agenda today. The real reason it is on the agenda today is to get the Council in gear. We didn't want to bring the old drafts because they are old, and we didn't want to bring up a "partially cooked" new draft, but we do want the Council to get into the misconduct gear so that when we do have a document before us next time and the time after that, that we will be reved up to discuss it.

GNAT: We are trying to address the concerns of the administration and the faculty in having an expedient process and not drag it out. We don't want it to go so fast that people feel they are not being given enough time to discuss it.

ROTHER: Where is the paperwork for the other one, the misconduct?

WARFEL: It is still in the Faculty Affairs Committee.

ROTHER: Then, why are we talking about it until we have something to look at?

WARFEL: I just explained why I suggested we start talking about it today.

ROTHER: Even if we had this ahead of time we couldn't have talked about it.

WARFEL: Since we are out of time...

TURNER: We will be having a small contest to find out who can imagine things that the document for misconduct doesn't cover. [laughter]

AGENDA ITEM VIII - QUESTION / ANSWER PERIOD

TURNER: Our next item is the Question and Answer Period. Are there any questions?

BURR: I have a question about what is being done or what has been done in the past to try to encourage the city to improve its public transportation to the campus. Every time I walk across campus now I mostly see space dedicated parking rather than to educational services. This is valuable land and we are becoming more and more crowded. It seems to me that for a city within a city, the urban university which we want to become, that in order to become that we are going to have to improve city services to the campus. I am convinced that part of the reason that there are so many cars is the poor transportation to campus. Have you talked with the city at all that?

BEPKO: Yes. There have been a lot of discussion and I think that there may be some possibilities, as the mall opens downtown, because there is a great desire on the part of those who are developing the mall and the city administration to have easy transportation. I don't think they are worried about getting people to

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campus, but I think they are worried about getting people from here down to the mall to shop. But, I think that will present some opportunity for transportation from here to downtown. If what you are thinking of is that we might create a city-wide network of public transportation that would help people get from various places in the metropolitan down here, I would say that the issue is really a cultural one. We will accomplish that in the same year that we eliminate all Hoosier speech mannerisms. [laughter] Or maybe the same year that people stop being preoccupied with basketball. People don't like public transportation. Our city has been built on the automobile and I don't see any changes. I think the best we can do is try to get the people downtown and back and hope that possibly there will be more opportunities to travel from elsewhere downtown. We have had transportation of that kind before and it failed.

SPECHLER: I have a question about budgetary priorities for capital projects for IUPUI for the next biennium and when improvements to the Student Center will be among the capital improvements which we will see. I regard improvement of the old Library for purposes of student learning and improved activities to be of utmost importance for improvement to this campus. Jerry could you explain about that?

BEPKO: May I say one quick thing first which I should have mentioned earlier? Bill Plater is not here today because he is presenting a paper at the EDUCOM Conference in San Antonio, Texas along with some others. It is a very important meeting relating to use of technology.

With respect to the old library, for a temporary period it will be used for a learning center and for student organizations, at least the basement and the first floor. Within the next six months I hope we can see our way clear to develop the final plans and a financing package for a major new facility at the corner of Michigan Street and University Boulevard. It would be the southwest corner where the Police Department is now. It would be a building which would include a variety of things that we have been working on to get private funding for a long time. It would include a Borders-type bookstore, for example, to replace the well-managed, but altogether too cramped bookstore and inadequate bookstore which we have now. It would include the travel agency, credit union, drugstore, and some other commercial space. It would include the offices that serve students. We call them sometimes the "BARF" group (Bursar, Admissions, Registrar, Financial Aids) or the SESS group. They have gone from a BARF to a SESS pool. [laughter] That is the Student Enrollment Support Services. They brought these names on themselves that way. That is the supreme bark of self-confidence. [laughter] It will also include some of the self-financing entities that are now located in the private buildings that are paying rent. We are looking at things like the Center on Philanthropy, which is housed in the Sigma Beta Tau Building on campus, which pays rent, the Center on Urban Policy, which is in the Emilie Building downtown. It would also include a student center of real substance and significance, which would be financed along with all of these other things, without having to go to the state to get new money.

We are not ready to unveil this. It has been an evolving plan. We have looked at different places where we could build some or parts of what I have just described as a totality, but we hope that if we put it altogether, it will be better and that if we put it altogether we may get a major donor to put a name on it. Then it would be the "blank" center. Then it would be a real student center along with all of these other things that are essential for students. They ought to be more accessible than they are now and all in one place. The reason why we have things spread around the university campus, I think, it goes back to medieval times [laughter] but you have to go to different places to see the Registrar, Admissions, Financial Aids, and other kinds of services. We have been told by people who do things like developing shopping centers that we need a person with a shopping center mentality to talk about how to serve students and to provide services for them, at least these kinds of services. There is a little bit of truth in that. Anyway, this is the kind of facility we are looking at. If that comes to pass, if we can do it, if we can put all of this financing together and make it go, I feel it will be a really extraordinary thing and it will complete that centerpiece of the campus that the campus designers have called "red square." That is the tilted square formed by the angles of the Indiana University Hospital, the angle of the hotel, and some sort of comparable angle to form a square on the southwest corner, such as this building. That is probably what will happen. If that doesn't happen, we will convert the library into a student center as we had originally planned and as we are now charging students a student fee for doing.

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TURNER: I feel I am going to have to arbitrarily cancel the rest of the agenda.

AGENDA ITEM IX - UNFINISHED BUSINESS

[Deferred due to lack of time.]

AGENDA ITEM X - NEW BUSINESS

[Deferred due to lack of time.]

AGENDA ITEM XI - ADJOURNMENT

TURNER: I declare this meeting adjourned.

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INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
Faculty Council Meeting
December 1, 1994
Law School, Room 116
3:00 - 4:00 p.m.

PRESENT: Administration: Chancellor Gerald L. Bepko, Dean William Plater. Deans: John Barlow, Barbara Fischler, P Nicholas Kellum, Angela McBride. Elected Faculty: Margaret Applegate, Darrell Bailey, Merrill Benson, Henry Besch, Patricia Blake, David Burr, Michael Cohen, Gayle Cox, Elizabeth Evenbeck, Karen Gable, Linda Goodine, Stuart Hart, Dolores Hoyt, Juanita Keck, Robert Keck, M Jan Keffer, Stephen Leapman, Dana McDonald, Lynda Means, Richard Meiss, Debra Mesch, Bart Ng, Byron Olson, William Orme, Nasser Paydar, Michael Penna, Richard Peterson, Rebecca Porter, Norris Richmond, Edward Robbins, Carl Rothe, Brian Sanders, Richard Schreiner, Jane Schultz, Charles Slemenda, Jerrold Stern, David Suzuki, Karen Teeguarden, Jeffery Vessely, Kathleen Warfel, Patricia Wittberg, Charles Yokomoto. Ex Officio Members: Barbara Cambridge, Janet Feldmann, Edgar Fleenor, Paul Galanti, Martin Spechler, Richard Turner. Alternates: Deans: A. F. Hood for Walter Daly. Elected Faculty: Neal Rothman, for Roko Aliprantis, Mark Stewart for Lucinda Carr, Karyl Robb for Jeanette Dickerson-Putman. Ex Officio Members: David Frisby for Virgie Montgomery.

ABSENT: Administration: Vice Chancellor J. Herman Blake. Deans: A. James Barnes, Trevor Brown, H. William Gilmore, Roberta Greene, Kathy Krendl, Alfred Potvin, John Rau, David Stocum, William Voos, Donald Warren, Charles Webb. Elected Faculty: Biagio Azzarelli, Diane Billings, Zacharie Brahmi, Timothy Brothers, Timothy Byers, David Canal, Michael Dalsing, Paul Dubin, Howard Edenberg, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Carlos Goldberg, Henry Karlson, Robert Keck, Raymond Koleski, Stephen Lalka, Eric Long, James McAteer, Bernard Morrel, Ken Rennels, Michael Sadove, Lee Schwecke, Akhouri, Sinha, Jeffrey Springston, James Wallihan, Eric Wiebke, Richard Wyma, Susan Zunt. Ex Officio Members: Ronald Dehnke, J Vannoy Faris, S Edwin Fineberg, Carlyn Johnson, Robert Lehnen, Karen West, Student Representative.

VISITORS: Trudy Banta, Karen Black, Erwin Boschmann, Steve Dlouhy, Jim Donges, Elizabeth Grossman, Mark Grove, Scott Evenbeck, Kim Manlove, Carol Nathan.

AGENDA ITEM I - CALL TO ORDER

TURNER: I would like to call this meeting to order. Before we begin our proceedings I might remind you to identify yourselves when you speak.

AGENDA ITEM II - APPROVAL OF MINUTES

TURNER: The next item of business is the approval of the minutes from the September meeting. You should have received those in the mail. Are there any changes or corrections to these minutes? If not, all in favor of approving the minutes, say "Aye." Opposed? [none] The minutes will stand approved as distributed.

AGENDA ITEM III - PRESIDENT OF THE FACULTY REPORT

TURNER: You will notice in the minutes, at the beginning of his remarks, the Chancellor reminded us about putting in parentheses "laughter" to clarify the context of the remark. In the spirit of the revenue enhancement, we are offering an option for the members of the Faculty Council that you can have your own parenthetical remarks put in; for a fee -- instead of "laughter", you can have "wild uproarious laughter"; or "wonderful applause". For a slightly higher fee, you can have some parenthetical remarks after someone else -- i.e., "widespread and obvious contempt". We are willing to custom make some of those remarks. They take longer and are more expensive since they have to go before a lawyer. [laughter]

Let me explain the empty chair to my left. This chair will be filled close to 4:00 today. Chancellor Bepko had a conflict in his schedule. He could not get out of the other conflict and since he didn't have a report to make, he is going to arrive a little late. However, he will be here at 4:00 in time for the State of the Campus Address.

AGENDA ITEM III - PRESIDENT OF THE FACULTY REPORT

WARFEL: I have two reminders. I hope you picked up and will share with your colleagues the announcement of the retirement reception for Jean Gnat. I was hoping that she would be here today because I wanted to get into our minutes some nice comments about what wonderful work she has done in faculty governance for a number of years. We will, of course, heap praise on her at her reception. I hope you will try to attend and encourage others to stop by also.

The second announcement I have is another reminder. Lee Shulman is giving a lecture right after our Faculty Council meeting today. There is a reception at 5:30 and his presentation will begin at 6:30. The title of his talk is "Enlightening Pedagogy: A Scholarship in Teaching in the University." I hope many of you will be able to attend.

AGENDA ITEM IV - ACADEMIC CALENDAR DISCUSSION

TURNER: Our next agenda item is the Academic Calendar discussion which is a discussion we had promised to have once a year. The calendar is available in the IU Handbook Supplement. Mark Grove is here to answer questions. Mark, did you have some remarks to make about the calendar? **GROVE:** No.

TURNER: Let me open the floor to entertain your observations or questions about the calendar.

ROTHMAN [Alternate for Allprantis]: Do we have to have the Monday in December?

M. GROVE: The calendar is designed to have equal numbers of Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays. The reason we start on a Wednesday in the Fall and finish, including a Monday, is to accommodate the Thanksgiving break. The number of Mondays is always balanced out over the course of the term.

ROTHMAN [Alternate for Allprantis]: Can it be adjusted by sliding things around?

M. GROVE: We will take that back to the Calendar Committee for consideration. [laughter]

MCDONALD: I have a question. There is a concern about the Summer Session. I am not aware since I don't teach classes, what the faculty's interest is in this Summer Session as to whether they prefer the status quo or whether they would like a change, but I do know that there is a request from administration that some suggestions for a change to the Summer scheduling be considered. My perception is that the faculty would like one session and more time on both ends and that the students like the status quo. If that is the case, this faculty probably would like a change.

M. GROVE: One of the concerns that has come up is that certain courses don't lend themselves to six weeks. "You can't play the trombone twice as fast" and there are a certain numbers of books that you might not be able to read in quite the same time period. We have already made adjustments, that is referred to in Dean Plater's memo that prompted the discussion, about 20 percent of our offerings this summer are already other than six weeks. In some cases, they are two weeks and, in the case of many intensive graduate education courses, for example, that begins at the very end of June. So, when teachers are getting out of school and then coming for an intensive two-week experience and still done in the first summer session. We have a good number of courses, especially remedial courses, that are taught over a ten-week term understanding that either because the nature of the instruction or the nature of the student might better be served by having a longer term. It is my perception that the courses where we feel that is necessary we are trying to make as many accommodations as we can and still make the best use of the classroom facilities available to us. That way, if we spill over into a second term, the term is effectively lost to us for other room scheduling. So, we try to accommodate that where we can by going to some long terms at the top of this first Summer Session and going longer for some courses.

ROBBINS: One of the problems that I encounter when I have courses that overlap two semesters is that you either have to register them after they have already started or grades are due before they are finished so you have to give some kind of interim grade if you are going to give a grade at all -- either the "R" or the "I" or the "NR" which has

its own set of problems, in my view. Have you considered the prospects of having one long summer registration with all of these options and alternatives that we already see as a part of that so that people could register initially regardless of when their courses start and would expect grades at the end of that term whatever it was, even if their course had previously terminated. Is that a possibility?

M. GROVE: There is some discussion about that. One of the things that is happening is announcing grades by telephone which is an option for a touch-tone phone. Effective this term students will be able to call touch tone and learn their grades for a semester prior to the grade coming in the mail. Of course, in your kind of model suggests that, if the course runs long into a second term, when the roster comes into us, just give us grades and not report it. Let the students know that as soon as we receive the grades we will put them into the system, you can then tell your students that on a mutually agreed upon date they can call the touch tone system and it will read your grades back to you. Of course, they will get a supplemental mailing with those grades. One of the interests we have go in getting students registered at the starts of terms is for official snapshot purposes. We have a variations within the main semester as well as within summer. One of the concerns is that the school might lose appropriation because all students aren't in there at the start of the term.

SPECHLER: Maybe other teachers, certainly a lot of students, have noticed that the fall term is a very long, uninterrupted term. It has a major impact on learning by the time we get to November. Short of changing the date of Thanksgiving, which probably is not within your power, I wonder whether we couldn't solve this Monday and starting on Wednesday problem, all of which is awkward, but for the purpose of really giving the students a meaningful break, say in the middle of October, to commemorate the Christopher Columbus Day, or something, but give them a couple of days off. Let them recharge their batteries and give us a couple of days off to do the same. It would seem to me that this would improve the quality of teaching and learning as we get towards the end of October and November. It may be advancing senility on my part, but by the time we get to the 13th or 14th week it is long.

GROVE: That is something that has come up periodically. The Calendar Committee will bring this up again this year as a possible model to look at taking a Monday and Tuesday off, for example. Start the term on Monday rather than starting on Wednesday to balance the days. Whatever adjustment we need to make. The concern traditionally has come out of the science schools and laboratory sort of settings in doing lab setups. That has been an issue that has been raised by representatives from the School of Science with some of those setups and monitoring experiments. That has been one of the bigger stumbling blocks over the years. We will bring it up in committee again.

FELDMANN: In regard to summer classes, if someone drops a class that happens to start after drop/add, is there a system in place for those students to get a full refund?

GROVE: What will happen is that the computer system will look at the semester start date. The computer systems will automatically give them whatever the established refund schedule is. But, we will look at this and try the best we can to remind us that class started on a different schedule to match whatever it would have been at the start of the term.

FELDMANN: Then it is the student's responsibility for any of these courses that begin after the standard starting point if they drop...

GROVE: We are going to try to recognize that as well. We will bring these issues back to the Calendar Committee at their meeting this spring. Thank you.

TURNER: Are there any other considerations? [None] Thank you.

AGENDA ITEM V - FACULTY BOARDS OF REVIEW SLATE

TURNER: We will move on to the next item on the agenda which is the slate for the Faculty Boards of Review. What you have in front of you are two versions of the Faculty Boards of Review slate. The purple slate is the original slate which was developed by the Nominating Committee. What the Executive Committee found was that, if we proceeded with that election as is, we ran a chance of ending up with a Faculty Board of Review such that all of the members' terms would expire at the same time. That would not be good in terms of continuity. Therefore, the green slate is what we are proposing as the revised slate for Faculty Boards of Review. The way the voting is set up on this slate is that it would guarantee that there will be continuity from one year to the next. In a sense, what we are doing today is letting you know that we have done this and asking for your opinion on it.

WITTBURG: I would like to give you some background on this. This was inherited by the Nominating Committee and, as Dick pointed out, Faculty Board of Review #3 there were no members to continue which would have caused problems for next year. What we did was to move a couple of the members; namely Paul Galanti and Dixie Ray, from Faculty Board of Review #3 up to Faculty Board of Review #2. This will give both Faculty Boards of Review #2 and #3 three continuing members. We also split up the new people that the Nominating Committee nominated to divide them over the boards according to the rules about how many people you can have for different schools, how many can be from a different rank. Right now, as I understand, you are not being asked to decide whether or not the nominees for, for example Faculty Board of Review #2, are or are not nice and decent folks. That comes in January when the election is held. What you are being asked to do now is to see if there is any reason why these continuing members can't be split up.

ROTHE: As a matter of fact, Faculty Board of Review #3, to my knowledge, does not have a case before it and, thus, that is not a problem. May I point out, according to the Constitution, there must be staggered terms.

WITTBURG: Yes. We tried to go with the Constitution.

TURNER: Then this green sheet is the ballot which will come to you in January when we have the elections.

AGENDA ITEM VI - FRINGE BENEFITS COMMITTEE REPORT - FRINGE BENEFITS FOR DOMESTIC PARTNERS

ROBBINS: The issue of extending fringe benefits to domestic partners has been considered in a variety of places and at a variety of times. It is on the agenda today because the Agenda Committee of the University Faculty Council asked its Fringe Benefits Committee to consider whether or not this issue should be reviewed by the governance unit of each of the IU campuses. It was felt that the issue had not been given a full airing on the various campuses. At its last meeting, the UFC Fringe Benefits Committee decided that the issue should be addressed by each of the campuses and, depending on those views, the committee would decide whether or not to recommend any action by the UFC.

I am here today to present a recommendation from the IUPUI Fringe Benefits Committee. The action of this body on the recommendation will then be forwarded to the Fringe Benefits Committee of the UFC for their consideration. If you are interested in some of the background, I can share that with you, but I first want to present the committee's recommendation. The recommendation is consistent with actions that our committee has taken over time, beginning as early as March 8, 1993. Thus, we present the following motion:

"Consideration of any proposal to extend fringe benefits to domestic partners be deferred until such time as a governmental legislative body establishes a legal basis for domestic partners."

The motion comes from the committee and, therefore, is open for discussion at this time.

TURNER: We can act on this today.

ROBBINS: We are asking you to act on this motion today because whatever action is taken here today will represent this body's view on the issue to be considered at the UFC level. If you can come to a decision or determination on this issue, your views will then be represented in the discussion that will take place at the next faculty governance level.

KUBITSCHKEK: I don't think I properly understand the motion. What does "legal basis for domestic partners" mean?

ROBBINS: It is hard to define what that legal basis would be until it is established. I guess if there is a corollary it would be the legal basis that now exists for married partners.

KUBITSCHKEK: Is there a mechanism for defining or identifying domestic partners?

ROBBINS: My assumption is that a legal determination of that would, in fact, include a definition.

HOYT: I would assume that the committee could not figure out the budgetary impact of expanding benefits without this definition.

ROBBINS: There are at least two alternatives. There might be others. The University could come up with a definition of its own and then, on the basis of its own definition, estimate what the cost of extending fringe benefits to those employees and their partners would be. It was simply the position of the Fringe Benefits Committee that the determination of what the definition would be should be a matter of law and established, therefore, by an appropriate legislative body.

HART: Is there a process in motion now which is moving toward that determination or does this just float until who knows when?

ROBBINS: I don't know the answer to that. It is clearly an action that would need to be initiated, if it has not been already, by interested parties. I do not know whether this is being considered, at least by governmental bodies that would be appropriate for Indiana University. It has been considered in other states and municipalities. But, I do not know about the state of Indiana or municipalities within the state of Indiana. I just don't know.

HART: Does it also mean that the Fringe Benefits Committee sees no particular need to press or to stimulate some forces to move in this direction? That it is not such an important issue that we need to do anything other than wait for some other undefined body to act.

ROBBINS: I guess I would characterize the views of the committee, although this was not discussed directly in the action we took, as feeling that such an action did not fall appropriately within the purview of the Fringe Benefits Committee. It quite appropriately falls within the purview of other committees that had interest more germane to the very narrow one that we considered which was the issue of fringe benefits.

SPECHLER: I am chair of the University Faculty Council Faculty Affairs Committee which is also considering this. For the benefit of people here who weren't at the University Faculty Council meeting I might add one or two pieces of information. This proposal has been considered by the Trustees of Indiana University. After it was passed in some form by the Bloomington Faculty Council President Ehrlich sent it to the Trustees. The Trustees voted 7-1 to turn down the proposal. Their rationale, both stated and unstated, was very much the same as Ed Robbins has stated -- that this is a matter for the state to decide and that, while the University certainly has a role in discussing issues of such social importance, we don't have a decisive role in this matter. So, the Trustees turned it down by a vote of 7-1. Nonetheless, the Bloomington Faculty Council brought it forth again arguing that faculty governance had not had its full say. That is the reason why Ed Robbins' committee, and other committees such as Rebecca Porter's committee, will be considering the matter.

ROBBINS: I could add that this matter was considered by the UFC Fringe Benefits Committee on December 3, 1993. The UFC Fringe Benefits Committee adopted the same motion that I put before you today. In fact, this is

a motion that reflects the action that our committee took at its earliest consideration of this issue which was at the March 8, 1993 meeting. Subsequently, our recommendation was referred to the UFC committee. That committee adopted essentially the same motion. As far as I know, that motion was not taken to the UFC Agenda Committee for consideration by the University Faculty Council itself. I suppose that the fact that this recommendation had been made and had come from the UFC Fringe Benefits Committee, the Agenda Committee decided to take it up this academic year. My understanding is that there is some concern that the action of the Trustees was prompted by the recommendation of the IUB Faculty Council rather than based upon a recommendation of the UFC, which is more representative of the full IU system. However, I am speculating a little on that because I do not have it on any authority.

TURNER: The motion before us is to support the Fringe Benefits Committee's position. The specific wording is that the Fringe Benefits Committee moves that:

Consideration of any proposal to extend fringe benefits to domestic partners be deferred until such time as a governmental legislative body establishes a legal basis for domestic partners.

The motion has been made and it has been discussed. All of those in favor of the motion say "Aye." Opposed? [There were a few nays.] The ayes have it. The motion is carried.

AGENDA ITEM VII - COUNCIL ON UNDERGRADUATE LEARNING (Circular 94-30)

TURNER: I would like to call your attention to the document which you were sent regarding the IUPUI Council on Undergraduate Learning. This is a document which was drawn up by Kathleen Warfel.

WARFEL: To clarify, it came out of my word processor but I just didn't make this up by myself. There were a few other people helping me such as Dean Plater and Trudy Banta as well as others. In any case, it is time to talk about the Council on Undergraduate Learning. We talked very briefly about it at the last Faculty Council meeting.

IUPUI is at a point where it needs some sort of forum or vehicle to accommodate campuswide discussions about undergraduate issues. The Council on Undergraduate Learning is being created to serve that purpose -- to be the place where administration and faculty from schools can come together with Faculty Council authorities and with central administration individuals to talk about important issues affecting undergraduate issues that have a campuswide implication. The newly-formed Council on Undergraduate Learning has already met once with its initial membership. There has been considerable discussion in several arenas about problems inherent in the Council on Undergraduate Learning as it was originally constituted.

This document tries to present two different themes and the hope is that by clarifying the role and procedures of the Council on Undergraduate Learning and by modifying the membership to make it more representative that we as a Faculty Council can embrace the idea of launching the Council on Undergraduate Learning and encouraging the campus to use it as the place where all of the players can come together and talk about important issues. In the clarification of the role and procedures of the Council on Undergraduate Learning the effort has been to illustrate how this Council will not in fact be off somewhere making decisions, but that it will in fact have initial discussions and produce initial draft documents that will be widely discussed in all of the schools within the Faculty Council and in administration before any sort of final decisions are made.

Secondly, the modifications in the membership expand the size of the Council on Undergraduate Learning, but they allow for representation from each school that has an undergraduate mission to send not only the dean of the school or the dean's delegate, but also to send the president of that school's faculty or some faculty delegate that is chosen in some way that is acceptable to the members of the school. There are still the same ex officio members from faculty governance (i.e., the chair of the Academic Affairs Committee, the chair of the Student Affairs Committee, etc.) There are ex officio members from administration. We have had added one representative from UEC, one from the University Libraries, and one invited -- the School of Medicine and the School of Law -- neither of which have an undergraduate mission, if you take Allied Health out of Medicine -- are invited to send a representative from the dean to have input to the committee.

On the last page there are three different options for committee size. The first option would be for each of the undergraduate schools to be represented on the Council by the dean and one faculty person. Since it may be that large schools feel they are under represented in the Council, there are other options where the larger schools could send a total of two faculty members or a total of three members. I would very much like for us in our remaining time to see if any of this helps. What is your reaction to modifying the Council in this way?

PETERSON: For the people who are distributed from each school, could you go over for us how those people will be chosen?

WARFEL: The people representing schools? **PETERSON:** Representing the faculty.

WARFEL: Each school with an undergraduate mission would send at least one faculty member, depending on which option we ended up with. The faculty members from the schools would be the elected leader of each school's faculty governance body or a delegate sent by the elected leader in accordance with procedures established by the faculty of the school.

BESCH: Or you could use "N". [laughter]

SPECHLER: I would like to say that we certainly do need this Council and it is addressing an important shortfall of the undergraduate schools on this campus in generating a meaningful general education program. I also applaud the initiative of getting schools and deans together to negotiate these things. That is obviously important for anybody who has dealt with these issues over the last five or six years. What is highly objectionable, however, about this proposal is that it leaves the final decision to a body which is not a faculty body. If you accept this, and I urge you to reject it, you have delegated one of the central tasks of any university faculty to a body which contains faculty members but is not a faculty body. It is a mixed committee in which the mix is highly weighted with people who have administrative positions. With all sincere respect for the people there, they have a different set of priorities and a different perspective from the ordinary faculty member. Prior coordination in the Council is very well and proper, but the final decision on general education must remain with this body. This is the faculty body that decides on standards and curriculum for IUPUI. I urge you to refuse to delegate this power to some mixed body, however well intentioned, however active and well meaning because I think we will regret it. We will regret in this instance and we will regret it when we see the further erosion of faculty responsibilities on this campus.

PORTER: Two quick factual type questions and then a longer response. What was the general thought process to determine if options II and III the schools which received more representatives than others?

WARFEL: Several things were considered. One is the number of undergraduate students, number of undergraduate credit hours, number of majors, not number of faculty. We did discuss different ways of dividing these six schools from not big schools.

PORTER: It would be helpful if that information were shared so it could be determined how they were divided up.

PLATER: There is really nothing more to that than what Kathy said. There is a distinct break between the six schools identified that would have more representatives than all of the others in terms of both student credit hours and number of majors or headcount enrollees. That was the primary basis for making a distinction between those six schools and all of the others with undergraduate programs. We did talk about other factors such as the number of faculty, etc., but those two criteria (the number of students and number of credit hours) reflect, in the case of at least two schools, a very large service role and, in addition to that, the number of majors or headcount enrollees in the respective schools.

PORTER: Will ex officio members be voting members?

WARFEL: Yes.

PORTER: Now for the longer response. As we look at the role and procedures of the CUL on page 2, we have E which is "Final Decision..." What happens when they make a final decision on a document that affects the general education programs? There is a statement there that "...schools adopt the minimal program." What if a school says, "I have been against this whole thing all along and I still haven't bought into what the Council has decided to do"?

WARFEL: Well, I guess then the Council on Undergraduate Learning will not have worked. The whole idea of this is to have discussion, some compromise, and some consensus. It may be that we are such a stubborn group that we will refuse to come to any sort of campuswide... It is possible, but at the end of all of this effort we will dig our heels in and say "No, we are not going to." But, at least, at that point we will try.

MEISS: I need to be brought up to speed on just what this body is. Several years ago there was something called "capstone experience" which was a set of undergraduate programs that were put into effect. Did the group that did that have any relationship to this or is this an outcome of that?

PLATER: If I may comment very briefly. The Council on Undergraduate Learning was established about six years ago at almost the same time as the University as a whole began considering what was called "The Academic Agenda," of which the capstone experience, threshold experience, and a number of specific initiatives were a part. Things which began to look very much like general education were taken up by the university as a whole. And, indeed, the Council on Undergraduate Learning became the body on this campus where most of that discussion occurred. The Council has always had representatives of the faculty governance system (that is, the chairs of the Academic Affairs Committee and Student Affairs Committee, along with the President of the Faculty serve on the Council on Undergraduate Learning.) That body has been the principal forum for discussing and debating issues related to general education. That body is the group that appointed the Task Force on General Education that was chaired by Ed Robbins whose final report was distributed to this faculty during the summer or late fall.

ROBBINS: I would like to present a different view from the one that Martin Spechler presented about where the current authority of a program lies. The suggestion was that, if we were to adopt this, we would, in effect, be assigning responsibility for programs to the Council on Undergraduate Learning which now resides within this body. It is certainly my experience that, that is not the case. In fact, this whole effort to look at some common elements of general education for this campus was initiated several years ago when the Academic Affairs Committee of this Council approved a general education distribution plan that turned out to not be adopted by all of the academic units on this campus.

So, I think the issue is not whether this body is going to have the responsibility for programs, but whether or not the academic units on this campus are willing to delegate, through some collaborative enterprise -- the Council on Undergraduate Learning -- at least the responsibility for the establishment of some minimal, uniform elements of general education across the undergraduate programs. I think the basis of whether or not we ought to adopt the proposal here is whether or not we are devoted enough to the concept of some kind of a unified campus level consensus about what every undergraduate student, regardless of their academic major, ought to be expected to do at a minimum. If we don't agree that it takes at least that much of collaboration across the units to have something that is anything other than a collection of separate and independent academic units that have no relationship to one another or to the campus as a whole, then we ought to continue to do it as we are doing it now and let each of the academic units go its own way. But, if we are convinced, as the Commission on General Education was, that there is merit in trying to come to some consensus about what a general education program should be across the campus, even a minimal one, then I think we ought to adopt this proposal. There are adequate safeguards and procedures for academic units to respond to the initial proposals. Those proposals would then be subsequently incorporated into final proposals which would then be acted on by the Council.

I would add to the suggestion implied by Professor Porter's comment, that unless things change in the way we administer our campus, if a unit decides not to go along with the decision of the Council on Undergraduate Learning, there is not much we could do about it. Some think that we ought to try to find a way to deal with and do something about that. But, that is a different issue. I think the issue before us now is whether or not we want to be more than a collection of separate academic units.

FELDMANN: I have not yet seen a copy of this, but what I am able to get out of this is that we are going to replace this old membership with the new membership. Right? On the old membership list there is a member from the Columbus campus; however, on the new membership list there is not. Is that correct?

PLATER: I think that was an oversight. We should have provided for a member from the Columbus campus.

TURNER: Under the pressure of time, I am going to have to close off this discussion. We will take this up again at the next meeting. I am also going to skip the rest of the items on the agenda, except for Unfinished Business.

AGENDA ITEM VIII - "Continued "Major Discussion" Discussion

Discussion of Position Paper "Reassignment of Faculty Work" (IUPUI Circular 94-29)
(Deferred until next meeting because of lack of time.)

AGENDA ITEM IX - QUESTION / ANSWER PERIOD

(Deferred until next meeting because of lack of time.)

AGENDA ITEM X - UNFINISHED BUSINESS

The only item of Unfinished Business is that, for those of you who came in late, would you please make an effort to sign the attendance sheet so we will know who is here. Thank you.

AGENDA ITEM XI - NEW BUSINESS

(Deferred until next meeting because of lack of time.)

AGENDA ITEM XII - ADJOURNMENT

TURNER: I would like to entertain a motion to adjourn this meeting. It has been moved and seconded that we adjourn. All in favor of adjournment, say "Aye." Opposed? [None] This meeting is adjourned.

[Following the IUPUI Faculty Council meeting, Chancellor Gerald Bepko gave his State of the Campus Address.]

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS

Faculty Council Meeting

January 12, 1995

Law School, Room 116

3:30 p.m. - 5:15 p.m.

Present: Administration: Chancellor Gerald Bepko, Dean William Plater. Deans: John Barlow, Barbara Fischler, P Nicholas Kellum, Angela McBride, Robert Shay, David Stocum. Elected Faculty: Roko Aliprantis, Henry Besch, Patricia Blake, Timothy Byers, Lucinda Carr, Michael Cohen, Gayle Cox, Michael Dalsing, Elizabeth Evenbeck, Naomi Fineberg, Karen Gable, Carlos Goldberg, Stuart Hart, Dolores Hoyt, Juanita Keck, Robert Keck, Raymond Koleski, Missy Kubitschek, James McAteer, Dana McDonald, Richard Meiss, Debra Mesch, Bernard Morrel, Bart Ng, William Orme, Nassar Paydar, Michael Penna, Rebecca Porter, Ken Rennels, Margaret Richwine, Edward Robbins, Carl Rothe, Jane Schultz, Akhouri Sinha, Jerrold Stern, Karen Teegarden, Kathleen Warfel, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Charles Yokomoto. Ex Officio Members: Barbara Cambridge, Janet Feldmann, Edgar Fleenor, Carlyn Johnson, Robert Lehnen, Richard Turner. Visitors: Erwin Boschmann (Faculty Development Office).

Alternates Present: Antoinette Hood for Dean Walter Daly. Elected Faculty: Sonja Duelberg for Jeannette Dickerson-Putman. Ex Officio Members: Melinda Phillabaum for Virgie Montgomery.

Absent: Administration: J. Herman Blake. Deans: A James Barnes, Trevor Brown, H William Gilmore, Roberta Greene, Kathy Krendl, Norman Lefstein, Alfred Potvin, John Rau, Donald Warren, Charles Webb. Elected Faculty: Margaret Applegate, Biagio Azzarelli, Darrell Bailey, Merrill Benson, Diane Billings, Zacharie Brahmi, Timothy Brothers, David Burr, David Canal, Howard Edenberg, Joe Garcia, Gareth Gilkey, Linda Goodine, Henry Karlson, M Jan Keffer, Stephen Lalka, Stephen Leapman, Eric Long, Lynda Means, Byron Olson, Richard Peterson, Norris Richmond, Michael Sadove, Brian Sanders, Richard Schreiner, Lee Schwecke, Charles Slemenda, Jeffrey Springston, David Suzuki, Jeffery Vessely, James Wallihan, Richard Wyma, Susan Zunt. Ex Officio Members: Ronald Dehnke, J Vannoy Faris, S Edwin Fineberg, Paul Galanti, Martin Spechler, Karen West, Student Representative.

AGENDA ITEM I: CALL TO ORDER

TURNER: We will call this meeting to order. Before we get on to the next item of business, I would like to mention that there is a falsehood on the agenda. The meeting will have to adjourn by 5:15 instead of 5:30 because of a class being held in here at 5:30. You will have to get all of the wonderful things you want to say said by 5:15 this time.

The other thing that I would like to ask you to do is that there is an alternate attendance sheet being passed around. Ordinarily, we print your name for you and only ask that you put your initials on it. Today we would like for you to write your entire name out. The typed attendance sheet was not brought today.

AGENDA ITEM II: ADMINISTRATIVE REPORT: Chancellor Gerald Bepko

BEPKO: I have a few items today. First, next week will be marked by two celebrations. The first celebration is the inauguration of Myles Brand as President. In recognition of that there will be a special interactive symposium under the title "The Future of the Public University in the 21st Century." A keynote presentation will be made by Peter McGrath who is the President of the National Association of State Universities and Land Grant Colleges -- affectionately known "as NAH-SUL-JUK" (NASULGC). The moderator of the program will be John Ryan. Quite a number of people will be on the two panels -- one in Bloomington and one in Indianapolis -- people such as President Emeritus Tom Ehrlich, Paul Eisenberg (Co-Secretary of the University Faculty Council), Peggy Elliott (President of the University of Akron, formerly Chancellor of IUN), Elvis J. Stahr, Jr. (IU President Emeritus), Walter Washington (past President of Alcorn State University), and Herman Wells who, I understand, may himself have a small presentation to make. In Indianapolis the discussants will include Henry Coffler (Professor of Biochemistry and President Emeritus of the University of Arizona), Steve Beering (President of Purdue University), Jim Morris (President of the Indianapolis Water Company, and President of the Indiana State University Board of Trustees),

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Dick Stoner (Past President of the IU Board of Trustees), and last and most important of all, Kathleen Warfel (Co-Secretary of University Faculty Council). This will be held from 3:00 - 4:30 on Wednesday, January 18. If you are interested in attending the live interactive broadcast, it will be in the University Place Conference Center, Room 118.

Secondly, in the nature of good news, I have two items. First, the people who are interested in the capital development on campus have been very concerned over the past four years about the delays that have been inflicted upon us by the State Budget Committee in connections with the VanNuys Med Science project. The VanNuys Med Science project, for those who are not in the School of Medicine, is a critical one dealing with the building that, more than any other, houses the School of Medicine. The VanNuys Building is in deplorable condition, I think second only to the Mary Cable Building in the IUPUI family. Not only that, but in order to renovate the VanNuys Building, it will be necessary to have substantial additional space. Many years ago it was proposed that we have an addition to the VanNuys Building and that the renovation be done in a couple of stages of the VanNuys Building. In 1991 the General Assembly finally approved this proposal. Since that time it has languished and the State Budget Committee had the final approval of the sale of the bonds. We were concerned that this approval would not come until after the 1995 General Assembly session. In fact, it is unusual for the State Budget Committee to meet on the eve of or during the session of the General Assembly, unprecedented for them to approve capital projects like this in that time frame. Nevertheless, just before the first of the year, the State Budget Committee met. The Governor finally saw fit to bring this result about and the Budget Committee approved the VanNuys project clearing all of the remaining obstacles and clearing the way also for the construction of that building which we think will begin as early as the beginning of 1996. In fact, if everything works well, the construction contracts will be let in November of 1995. This is not only an important event for the whole university because of the size of the project -- \$37 million dollars. It is not only important because this is fundamental for the School of Medicine, but it is also important because it now clears the deck and eliminates the looming difficulty or poll which was cast over the proposals that we have for capital projects in the 1995 session. It is all now cleared away. We needed that for 1991 and it shouldn't interfere with anything that is current. Of course, there is the Herron and Law School projects that will be on the agenda of the University toward the 1995 session. Now, it doesn't look as if this VanNuys projects will be any kind impediment in our advancing the Herron/Law projects

Next, the topic of research funding is often on our minds because it has become a more and more important part of the base of resources that supports IUPUI. The research grant funding for IUPUI activities, primarily in the School of Medicine, continues to grow at an absolutely astounding rate. It happened to be on my desk this week and I thought that you would be interested in seeing the most recent figures. We are a little bit behind in keeping track of this because the volume is so large that the people who count are having trouble keeping up. As of the end of November 1994 (five months into the academic year) we had grants totaling \$56.5 million. If you extrapolate that out to the end of the year, it would be something like \$120 - \$130 million. An absolutely unbelievable figure considering that we have never gone over a \$100 million before. What is most interesting, however, is that this comes at a time when other universities are having difficulty maintaining their historic level of external support. Just to give you an example -- picking a campus at random from throughout the country -- and landing on the Bloomington campus *[laughter]*, through the first five months of the year, they were better than they were last year, but they had only \$36.5 million. We are \$20 million ahead already this year. The gap between Indianapolis and Bloomington is widening. The pattern of proposals for next year's funding and into the future suggests a continuing, widening gap between Indianapolis and Bloomington. If you extrapolate these trends, it may not be very long before Indianapolis doubles the external support that the Bloomington campus has. Not yet, but you have to wait sometime and assume that we will continue to grow and they won't in order to reach that result, but it is certainly a significant change from what some of us remember in the history of IUPUI.

Another piece of very good news, but in a little different form, is that we have with us for the first time a new member of this body. As you know, Bill Voos retired as Dean of the Herron School of Art and through the excellent work of a search committee, chaired by John Barlow, we have recruited a new Dean for Herron. He has been on the job only about 10 or 11 days. He comes to us from a position as Chair of the Art Department at Ohio State University and with the most resounding and positive complimentary comments from all the people whom he worked with at Ohio State and all of the people who know him in the world of art. I am pleased and proud to

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be able to introduce the new Dean of the Herron School of Art -- Bob Shay. [applause]

Finally, the University has the Strategic Directions Planning Process. You will be hearing a lot about this. Your representatives from the Faculty Council -- Kathy Warfel and Paul Eisenberg served -- continue to serve, and have served since the very beginning -- on the steering committee for this process. The task forces have now been appointed. The first task force met at noon today. Others will meet tomorrow, Saturday, Monday and Tuesday. The task forces are on such subjects as the Mission of the University and the Campuses, Partnerships with Public and Private Sectors, Excellence in Teaching and Research, Accountability and Assessment, Promotion of Indiana University in making sure that the various publics understand its quality and breadth, Student Persistence and Attainment, or "retention", as we sometimes call it, Minority Attainment, and finally, Operational Efficiency and Revenue Enhancement. Those eight task forces are chaired each by what we have come to know as "pure faculty members." That means they have no "taint" of holding an administrative appointment, other than perhaps as department chair. That is an administrative appoint that does not involve sufficient "taint" to take a person out of the category of pure faculty. [laughter] Three of those "pure" faculty members are from IUPUI. Dick Fredland will chair the key task force on Mission; Barbara Cambridge will chair another key task force on Accountability and Assessment; and, Tom Lenz from the School of Business will chair the task force on Cost Reduction and Revenue Enhancement. I think that reflects the impact of IUPUI on the overall university planning process. You should be proud of these and the many colleagues who will serve on these task forces. I hope you get involved during the spring semester in the work of these task forces. Thank you.

AGENDA ITEM III - PRESIDENT OF THE FACULTY REPORT: Kathleen Warfel

TURNER: We will turn to the next item on the agenda which is the report from the President.

WARFEL: While we are on the topic of the task forces, I would like to say a word about them. Those of us who have been in university's for a while I think recognize that when a new President comes to town he/she creates task forces to reinvent the place. I am concerned that the faculty will be a little blaise' about the process this time. It is my sense, having worked with the steering committee and listening to President Brand for a couple of months now, that this really can be and is intended to be a very serious and revolutionary type of process at this time and that we aren't just having these task forces to be busy or for some sort of show. I really do hope that all of you, whether you are on a task force or not, will participate and come up with good ideas for being a better place in the future.

In terms of the things I have to say today, I have one announcement and then I am going to try to explain something. The announcement has to do with faculty forums. You will remember that in the past couple of years we had scheduled a lot of open faculty forums on different topics. The idea was that rather than having "show and tell" sessions at the Council that took a lot of time and that were on topics that could be discussed for hours if we felt like it, we started having faculty forums open, not only to Council members, but to all of the faculty and in fact the staff, if they were interested in coming. We have not had any of those this year for a variety of reasons, but we are now scheduling at least two and possibly a third one for the spring.

The first one is scheduled for Thursday, February 9 in the University Library's Auditorium and will be followed by a reception. Dean Plater has been going around the country being invited to talk about his view of the changes that are inevitable on higher education, what the future holds for us all. We felt that it would be appropriate for him to share this speech with us so that we can have some discussion about his ideas. So, the first forum will be an opportunity for him to give at least part of his lengthy address and then there will be an open discussion about it. I hope you will spread the word about that February 9th meeting and attend yourself. Dean Plater, did you want to say anything more about this?

DEAN PLATER: No. Let's keep them in suspense. [laughter]

WARFEL: The other thing I wanted to talk about was one of the things that is going to happen at the University Faculty Council next month. The meeting is February 14th in Bloomington. The topic has to do with this handout which you should have picked up as you came in. You will remember that in the fall the University Faculty Council

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had two meetings and after the last meeting in the fall there was the December meeting of the Board of Trustees. The Trustees have proposed a resolution that you see on the front page of this handout and they have asked the chancellors and the faculty councils to express an opinion about the resolution wanting an answer at the end of February. This, of course, gives us only one University Faculty Council meeting to discuss this resolution and attempt to decide what to say to the Trustees.

There are two issues here. One is the actual content of the resolution. This resolution reflects probably two years of work on the part of the Trustees and on the part of the "Joint Committee on Learning, Teaching, and Scholarship." This joint committee spent a lot of time talking about how to look at productivity, meaning, of course faculty productivity, not administration productivity or student productivity, but faculty productivity, and of course, one of the easy ways is to talk about how many classes are taught, etc.

The resolution has three parts to it. One suggests that we continue using the Wisconsin System of accounting. For those of you who aren't familiar with that, the second page has a paragraph giving you an idea of what the Wisconsin System is about. The second part of the resolution says that the Capacity Model for determining expected teaching loads will be adopted for use on all campuses. So, University-wide use of the Capacity Model. For those of you who aren't familiar with the Capacity Model, this is a model which has been developed and used in the College of Arts and Sciences in Bloomington. Some introduction to it is shown on the last two pages of the handout. We have a lot more information we can share with you about that Capacity Model. If anybody is interested in having that just let Bernice or me know and I will get copies to you. The third part of the resolution says that the President also is to develop ways of accounting for faculty time used in research and service in addition to teaching.

This is an important issue that is going to be addressed by the University Faculty Council next month. I wanted you to at least know a little bit about it.

SPECHLER: Kathy, I wanted to advise people regarding the discussion of this urgent and I think very important matter. It has been referred to the UFC Faculty Affairs Committee, of which I am one of the chairs, and to the IUPUI Faculty Affairs Committee which Rebecca Porter chairs. We are going to try, if time permits, to get a response from the Faculty Affairs Committee, though it puts them under a lot of pressure with all of the other things they have to do. If I may, Rebecca, first tell you people you can E-Mail or address her with their responses. This is of very great importance for workloads, equity, and for morale on the campus. It really would be hard to overestimate the importance of this among the kinds of business that we deal with. Anyone who would like to send those communications to me may do so. My co-chair, Elton Jackson in Bloomington, and I will be preparing the draft response of the Trustees for presentation to the UFC next month. We formally and urgently solicit your study of this matter: discuss it with colleagues, and give us your quick reply. We would like to represent the opinions of this campus fully and accurately, but time is very short. Please do tell us what you think about this. Let me say, if I may, the most important aspect of this proposal is that there will be an average course teaching load on this campus. Some people have said, but I don't think it will fly, that that average teaching load will be six courses a year. I know that is subject to negotiation and I don't think that will be very widely accepted on this campus. The bottom line, the sharp point of this proposal as a whole is that there is an average course teaching load for the campus as a whole to be administered by schools or probably departments so that some faculty will teach more than the average, more than six on some campuses, and some faculty will teach less than six. I am sure everyone here will see that that does affect the kind of the collegiality and the kind of university we have in a major way. So, please get back with your reflections on this important issue. Thanks.

WARFEL: Unfortunately, we already had two very important items of business that are somewhat urgent for this Council meeting, otherwise we could have a lengthy discussion about this issue. Perhaps if you find, Martin and Becky, that you are getting a lot of response and interest, we could arrange some sort of an emergency forum so that there can be open discussion about it. That is the only business I have.

BEPKO: I would like to say just one thing to add to what Martin said. I am not so sure that the Capacity Model dictates any expectation with respect to how many courses or sections per year a faculty member or groups of faculty members should teach. It requires the statement of an expectation so that you can set a capacity. The

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Capacity Model works by making the expectation on average for a department or even within a department for subgroups, but usually at the departmental level, and then you multiply that expectation times the number of people and that is your total capacity and from that you start to subtract various things for which people get release time. When you are done with that, you total up how much actually was taught and compare it with the capacity and then you have a percentage. They have done this at the College of Arts and Sciences in Bloomington using an expectation of four courses per year. The question that Martin raises is a school based question about how many sections per year a faculty member should set as the expectation for that school. I think that may be the issue that you are referring to which is really more up to the school. The question is, I think the reason you say six is objectionable, if you set your expectations too low, you could get them changed. That is a political issue that is going to have to be analyzed. On the other hand, if you set your expectations where it is believed that the Trustees think they ought to be in the first place and work from there, may be a better way to fashion the arguments about how much faculty members are doing in programs that are primarily undergraduate and primarily lower division.

SPECHLER: Jerry, we are going to be working with the administration to get the Trustees and public in general to realize how heterogeneous IUPUI is and how inappropriate it would be to have some single number across schools and departments. The second objective of our committee is to get the Trustees and public to accept that we do many useful things by way of instruction aside from teaching a large number of courses and that those are important on this campus almost as much as they are on the Bloomington campus.

BEPKO: I think that is true and I think we ought to reaffirm always that quality has to be our first commitment and that we can't retreat from the commitment to quality that we made to ourselves and to our students, which means that we can't be in lockstep slavishly manning class sections that are beyond a reasonable number. At the same time, we have to recognize that there is a world outside that thinks we don't teach enough and there is also a world outside that looks askance at our claims that we should measure outcomes instead of inputs, because the only outcome they care about is how many students graduate and are they any good. On that measure, IUPUI does not stand up very well.

WARFEL: I do think it is going to very important for the faculty to keep a positive tone in this and to stress the fact that we absolutely want to be accountable and not play into political hands.

AGENDA ITEM IV - ELECTION OF FACULTY BOARDS OF REVIEW

TURNER: The next item on our agenda is the election of Faculty Boards of Review. The Nominating Committee will conduct this election.

WITTBURG: Members of the Nominating are distributing the ballots for this election. For Faculty Board of Review #1 you are to vote for one; for Faculty Board of Review #2 vote for two; and, for Faculty Board of Review #3 vote for two. When you have completed your ballots, if you would pass them to the end of the row, a member of the Nominating Committee will collect them.

[The results of the election were as follows:

Faculty Board of Review #1: James Baldwin
Faculty Board of Review #2: Margaret Applegate and Golam Mannan
Faculty Board of Review #3: Rebecca Porter and Robert Rigdon

I would like to move that the ballots be destroyed. The tally sheets will be retained in the Council Office.

TURNER: All in favor of destroying the ballots, say "Aye." All opposed. [none] The motion passes and the ballots will be destroyed.

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AGENDA ITEM V - COUNCIL ON UNDERGRADUATE LEARNING: DISCUSSION

TURNER: Our next item of business is a discussion of the revised version of the Council on Undergraduate Learning (CUL). You received a couple of documents in the mail regarding this issue which were focused on the Council on Undergraduate Learning. Those are meant to be the focus of discussion. Kathy, did you want to introduce those documents?

WARFEL: Certainly. The longer document which is first in the packet is similar to what you have seen before. It is something that was revised as of December 7th after our discussion at Council and after a meeting of the Council on Undergraduate Learning as it was initially constituted. I can point out to you most of the changes. The paragraph at the bottom of page one is new. In the clarification of the role and procedures of the CUL on page two, item #A was modified. The Identification of Issues -- It is not just that this CUL body will be out there identifying issues, but the issues will be brought to the CUL by school faculty or Faculty Council committees or administrative committees, officers, or others. That was to clarify the sense that the CUL wouldn't be thinking up ideas, but only considering things that came from the IUPUI community.

Towards the end of that list there was some modification of what happens after the CUL reworks a document. Having heard initial responses, that reworked document is sent back out to schools, faculty governance, and administration. At that time, they can accept the document and state any conditions or qualifications that go along with the acceptance of it, or they can declare that they are not willing to accept it and desire further discussion and modification. The end point is no longer that the CUL votes to make a decision, but the CUL provides a concluding action by integrating the final responses of the schools, faculty governance and administration then disseminating that information helping oversee the implementation of any plans and then, importantly, evaluating any process that has been undertaken.

It is the paragraph at the end of this page that is added to stress the authority of school faculties and to point out that it is understood that the CUL must rely on the goodwill of individuals, offices, committees, and faculty bodies to implement any consensual agreement. In other words, a school faculty cannot be taken out of _____ if they don't play along.

Other changes are modifications in the membership. They may be some clarification of how representatives will come from the faculty in schools clarifying that the IUPUI Columbus campus and University Libraries would be represented either by their directors or, if the faculty of IUPUI Columbus or the librarians of University Libraries wish to be represented by some other individual by whomever they decide.

On the last page on the chart demonstrating the possible numbers involved on the Council. We now have four options instead of three. All of the changes have to do with the number of representatives coming from academic units. In column I each academic unit with an undergraduate mission, as listed here, would be represented by the dean of the unit and by one faculty member who was sent by that unit's faculty according to however that unit wanted to choose the person. In column II the unit would be represented by the dean plus one or two faculty members depending on the size. You can see option III is one or three and option IV is one, two, or three. We would be interested in the this Council's advice on what the best of those four choices would be.

The other document that is listed is entitled The Need for a Council on Undergraduate Learning at IUPUI. In different settings there has been quite a bit of discussion about why this Council is needed, but we felt that not all of the ideas had been necessarily brought out at Faculty Council. Therefore, Richard drafted this document helping to point out how the CUL can assist IUPUI in being a much better place for the undergraduate student.

TURNER: Thank you, Kathy. What we would like to do now is to get your response. In the other two discussions in the Council, there has been a number of concerns raised. The document has been revised in an attempt to respond to those concerns and now you have it in its latest form. We would like to hear from you as to your sense of the shape of the document, the shape of the prospect of the Council in general, and specifically, what you think about the forms of representation. The floor is open.

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EVENBECK: I am Betty Evenbeck from Physical Education which is one of the small schools. I have two comments. One is that I think in terms of representation, it would be a lot better to have one faculty and one dean represent each school and serve as the point to which people in that school funnel their remarks and direct them to the Council on Undergraduate Learning.

My second point, maybe it doesn't belong here, relates to how our consensus will be reached within the Council on Undergraduate Learning. Again, there will have to be some sort of a vote or some way of coming to getting some decisions. I haven't seen that defined any place as to whether it would be a simple majority or what does a consensus mean? I think that is an important point that has not yet been addressed.

SPECHLER: I would like to thank you, Dick and especially Kathleen, for what I think is a vast improvement of this document over what we have had before. I would like to point out two things which are strengthening the role of faculty as a whole whom we represent in this document. The first is that, as I understand it, the faculty is to have the final decision on general education matters whether it is at the school level or at the all-campus level expressed in this assembly. The role of the CUL then under G would be integration of final responses. I think that this is a good thing they have done -- compromise. It means that no new element would be sprung on us that goes beyond what has been decided. Since clearly we have divided powers, some kind of integration is surely needed. What we have here is a kind of articles of confederation. Where there is necessity of cooperation, then obviously our faculty leadership and the campus leadership are going to have an important role in persuading schools to go along with this minimal thing. I think that is where we are in reality. So, thank you for making the change which I think is going to strengthen the whole enterprise. If we have faculty agreement here on certain principles and certain policies, that is going to add to the authority of those principles and policies. The second thing which I believe would change and also very much for the better is that regular faculty representation is strengthened. What we need on CUL is not people who agree, but people who are willing to disagree, willing to raise questions. That means they should be elected by rank and file faculty like us. In doing that, we are going to have to do the work. We are legally responsible for this. I do think that, while there is a role for deans, absolutely in getting this thing on the road -- without them we wouldn't be on the road at all, still I think that deans shouldn't be appointing the faculty representatives. They should be representatives of our faculties and appointed, that is nominated and elected, just as our representatives to the UFC or to boards of review are elected. That will give us maximum assurance that the faculty are prepared to ask the awkward question. It will also lead to a more authoritative and effective CUL. Once again, Kathy, I would like to thank you for drafting a very sound document that really goes a long way to assuring a good academic cooperation on this very important matter.

WARFEL: Thank you, Martin. I will take a try at making a picture of how this consensus issue works in response to your question, Betty. I think that the work of the CUL is a very evolutionary sort of work and when any issue is open for discussion at the CUL, there may not be much uniformity across campus. This body will not one day take a vote and say, "We don't care what you think in Physical Education, you have to do it this way." This body will serve as the forum where modifications and evolutions will gradually take place. The end product of any issue at any given point is going to be the integrated responses of the units. The integrated response "X" may be that all of the units have agreed to do such and such or agree that the campus should do such and such except for this year over here who cannot accommodate parts of that. Do you see what I mean?

ROBBINS: I would like to make a point that is a little bit different. I don't think the primary motivation is necessarily that we are on too many committees and the fewer faculty we have here, the less work there is going to be to divide up. It is the nature of the role here that leads me to favor the first option. The faculty members' role is not to exercise a vote representing some number of constituents, but it is simply to serve as a vehicle for making certain that the communication between the academic unit that the faculty represents gets considered in the discussion of the Council. So, it is more important for me that that one person be the right person than it is to have three other persons representing that unit. It is this role rather than a role as a legislator where the number of votes count.

SPECHLER: I think Ed is right in his theory, but there is one issue that you can judge by looking around you or any other similar meeting. When there is one representative from a school that representative may be ill, may be teaching, or both and will not be able to attend. I just wonder, from my friend Ed, whether it is understood

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that if the one representative cannot attend for one reason or another that she/he would be obliged to send a deputy.

ROBBINS: Right. It even occurred to me as I was thinking about this earlier, that the notion of a representative having an alternate or someone else who would be obligated to attend is more important than how many attend.

TURNER: Is there any other discussion? If there is no further discussion, I would like to ask for a vote on the motion to use Category I as the method of representation. All in favor of the motion, please say "Aye." Anyone opposed, please say "Nay." It is evident that the "ayes" have it. We have done our first positive thing. The motion carries and it is the consensus of this body that when this Council meets its representatives should come from Category I.

Could we open the discussion again about the Council in general and your concerns about it, its shape, and its functions, and roles, etc. Is there interest in this body in voting in favor of a motion that would, in a sense, suggest that this body is in favor of the Council on Undergraduate Learning?

ROBBINS: So moved. **BLAKE:** I second that.

TURNER: Is there any discussion about that kind of general review of this body's work?

MCDONALD: The Planning Committee discussed this and there was never anything but approval of the content and having this work go forward. The interest of that committee was in the election of the faculty and the _____ of that process.

PORTER: If this body acts to approve the structure, does that mean that down the road, if concerns arise about this structure, that this body could then reconsider and act on that structure? Is that the implication from having voted on this motion?

TURNER: The motion is that this body approves of the structure and the process that has been presented. If at a later date the body decided they didn't like it, it could certainly express its disapproval at that time.

BESCH: That would require someone who voted in favor of it to bring it for reconsideration. So, the one "aye" here who voted negative is the one who could not bring it up again. *[laughter]* All of the other "ayes" could bring it up.

SPECHLER: A point of order, Henry. That is true only in the sitting session of body. The next body could take a different decision, I believe.

SPECHLER: The rules for reconsideration apply to sitting session.

BESCH: You may be right, but I don't think so.

WARFEL: I think that after the CUL, as it would be constituted here and as its work is outlined here, has had a year's experience. I think if we sense that it needs some modification, that we could start afresh with proposing modifications to it. Is that okay?

BESCH: Absolutely.

KUBITSCHKE: The question is, could we change the structure of the body on our own?

TURNER: No, because the body was not established by the Faculty Council on its own.

ORME: On page 2 of the documentation, the second paragraph "The following clarification of the CUL role and procedures and modifications in the CUL membership are proposed." We have already approved modifications in

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the CUL membership and I am wondering if it might not be worthwhile to ratify the clarification of the role and procedures?

TURNER: What is it you are asking?

ORME: There was a clarification of role and procedures that were altered from the last time we discussed CUL. I was wondering if it is the sense of this body that this is in fact the role and methodology that we intend CUL to have.

TURNER: I thought that was the intention of the discussion.

ROBBINS: That was the motion: to adopt the roles as clarified in this document with the membership option that we just adopted.

ROTHER: Point of order. Do we approve, adopt, or do we recommend or report? My impression is that this body cannot set up this Council.

TURNER: That is correct.

ROTHER: So, we can't approve it. We can support it but we can't approve.

TURNER: Exactly, we can approve of it. *[laughter]*

SPECHLER: The issue raised by Missy and others has some importance. We may not be able to set up or upset this Council. I don't think we would have reason for doing so. On the other hand, we have been assured that the Council is going to submit its decisions to the faculty either of this body or in the schools. We do have sole legal responsibility for passing that legislation. That is our power. So, I think the answer to Missy, if I understand correctly, is that the Council's role is integrating final responses. Were they to do something that we violently disapproved of, we could overturn it. But, I am assuming that they would not do that; their role would be truly integrating final responses in order to get a workable policy. But, if they were to disappoint our hopes, we could say something.

R. KECK: In regards to the accountability of this Council, where will their annual report be sent?

TURNER: There is not one imagined yet. Are you suggesting that you would like to have one?

WARFEL: The Council originally was jointly appointed by Dean Plater and myself, as President of the Faculty. So, I think that their annual report would go to both of us and certainly could be brought to Council.

J. KECK: Has the question been called? I didn't want to interrupt the last statement. *[laughter]* *(Speaking of when R. Keck was speaking)*

TURNER: The question has been called and it is time to take a vote. All in favor of approving of the present state of the Council on Undergraduate Learning, please indicate by saying "Aye." All of those opposed to approving the Council on Undergraduate Learning, please indicate by saying "Nay." The motion is passed. The ayes have it.

PLATER: I have one comment. I think, in light of the action of this Council, Kathy and I will be advised to review the membership of the existing Council, which I think we reported in an earlier meeting has already been appointed, and try to conform to the wishes of this Council on the composition of the Council on Undergraduate Learning.

WARFEL: I presume that will entail notifying the head of each faculty governance organization in the units that they should take care of this.

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AGENDA ITEM VI - CONTINUED "MAJOR DISCUSSION"

IUPUI Dismissal Procedures for Tenured Faculty and Librarians

TURNER: I would like to turn now to VI on the agenda. This is the next step in our discussion of the "major issues." The second part of your mailing was Draft Document 16 regarding Post-Tenure Review of Faculty. What we will be doing today is taking about 15 minutes to discuss this. This is the procedure that we have followed so far to discuss Dismissal Policies for Incompetence and we have had the initial discussion on Dismissal Policies for Misconduct. When the Faculty Affairs Committee is finished with that document, that will come back to us for final discussion and a vote. What we are beginning here is the discussion of Post-Tenure Review. These are all recommendations that came out of the Task Force on Faculty Appointment and Advancements. With that, I would like to open the floor and ask what you think of post-tenure review.

NG: I would like to have some clarification regarding procedures. The Dean of the Faculties is supposed to develop specific procedures. I would like to get a sense of what kinds of procedures will be used. For example, what kind of evidence, evaluations, and supporting documents need to be dealt with for such a review? What I can see here is that it can create a lot of administrative paperwork that will add up to nothing. When you have a department which is of a size as big as mine -- 35 people -- that is a long trivial commitment on my time which I believe I could better spend on taking care of my students and serving the University in other ways. I have great concern about those procedures. I don't think we can talk about whether we should adopt such a post-tenure review without really understanding what really would be required of the people who are doing the review. What kind of support do we need to provide?

WARFEL: I think that is one of several important basic points that could be made. I would like to say that the reason we are discussing this briefly and preliminarily is that the early feedback indicated that this document was in need of some "fixing." You remember that we are still involved with looking at dismissal procedures/ statements and we still have to go through that before we will seriously undertake adoption of something about post-tenure review. Therefore, any sort of comments that you want to be incorporated into a revised document that we can use for our later discussion, that is what we are supposed to be doing today.

KOLESKI: In the first sentence under "Motion", it says "The faculty of IUPUI recognize that the quality and integrity of academic programs depend wholly on the performance of individual faculty and that peer review is an essential aspect of continued improvement." It is true that the performance of the individual faculty member is the basic building block of a sound academic program. However, a number of things have been said today and in many Faculty Council meetings for the last several years that would indicate the word "wholly" in the above sentence is probably not quite correct. The word "substantially" as a substitute for the word "wholly" I can understand. Organizational decisions made outside the realm of the faculty member have a partial bearing on how well that faculty member performs. The work loads for faculty members and the support services that the person gets will make a difference as to how well that faculty member does. Furthermore, the social-political-economic world beyond the university in which a faculty member functions has a bearing on what that university and consequently that faculty member is able to do. One can't identify any individual as a member of an organization or institution and say that the individual is totally responsible for what she or he does. I do believe that the sentence would be more accurate if it read: *"The faculty of IUPUI recognize that the quality and integrity of academic programs depend substantially on the performance of individual faculty and that peer review is an essential aspect of continued improvement."*

SPECHLER: I like the review process as far as it goes and I think that Bart Ng's questions are very much in order. Our department, the department of economics in the School of Liberal Arts, has had a policy these last four years doing post-tenure review for all the faculty -- associate and full professors and I must say that the process so far has been very favorable and very helpful to those of us who were reviewed. Because of that experience, I favor this. But, the real question in my mind is why do this? What is the purpose of doing this? What decisions will be taken on the basis of this review? Of course, the thing that comes to mind is the finding of incompetence or declining competence to the point where a person may be urged to retire or retire in part. Now, it seems to me that when we do reviews of assistant professors and probationary faculty members, we do them on two levels.

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One, which is partly routine but still might be considered review-like, is where a crucial decision is not immediately questioned for that faculty member and where we are talking about so-called "raises," *[laughter]* on this campus, or "raise-lite" on this campus. For that purpose, I think a review of professors and associate professors on the same basis, using their annual review and their annual report would be probably be sufficient. On the other hand, where decisive questions are in question as a result of a preliminary review, where there is some question of incompetence, the necessity to retire, or something of that sort or, on the other hand, a possibility of promotion. Then an extensive review could be called for by that very committee. That might require outside letters. So, Bart, what I think would be helpful in that perspective would be to continue the same thing we have always done for probationary faculty members with respect to senior faculty members. Let me be precise. If it turns out that some decisions -- this way or that way -- make an issue in that case the primary committee should call for a more intensive review, including outside letters, class visits, or reading a bunch of their research material. But, in the ordinary course of life, where no promotion and no forced retirement is the question, it seems to me that a more summary review would very much serve the purpose.

NG: First of all, I want to add a brief clarification. I don't want to leave you with the impression that in my department, tenured and fully-promoted faculty members are not evaluated at all. In fact, we do an annual review and I spend at least half an hour with each faculty member, tenured or not, asking what he or she hopes to accomplish for the coming year, and what the department can do to help. Having said that, I also want to say that I agree with Martin. The default position of any post-tenure review should be the current annual review. By that I mean we should formulate a policy to deal only with problematic individuals which will enable a chair or an individual faculty member to call for a formal review, if, say the department chair, or the primary committee, feels that an individual is not "up to snuff" anymore. I think such a policy will take care of the "problematic" people without having to burden everybody else who is doing a good job. The shot-gun approach to post-tenure review may be good PR and good for public assumption, it is simply not workable, and it will waste an enormous amount of energy which can be better spent on educating our students.

BURR: One of the things that bothers some of us is that there is no indication in here what the criteria will be for judging active or inactive performance or even who is to set those criteria. I think this is a little different in the post-tenured period than in the pre-tenured period because it may not necessarily be correct to expect aging faculty members to perform in each of the pre-named areas like they would have performed as a younger faculty member. In fact, it may not be unreasonable to expect that some of them will want to devote all of their time to teaching and service and really spend almost no time on research. As long as that doesn't affect the mission of the department itself, in fact, can be good because that allows younger faculty to spend a little more time perhaps with research, cut back a little on their teaching, in preparation for their own tenure review process. These issues are not dealt with in this document. I think they should dealt with somewhere so we would know exactly what we are voting on.

ROTHE: It seems to me that one of the important parts of this document is in terms of "peer review." That means it gets away from just the chairman doing the reviewing and taking the criteria that they want to work with. This is important, it seems to me. The other thing that is important is that nearly every five years at sometime somebody looks at specifically other than the chair. To me, the most important thing is they then cut this peer group to come up with some suggestions of what we might do differently. These kinds of suggestions -- one gets tenured and then it is a long time until they are so elderly that all they do is _____.

KOLESKI: It seems as though we are talking about a balancing act or tradeoff. Most of us are senior faculty members in this room. Sometimes I think that we forget that junior faculty members have to work much harder to gain tenure today than most of us did in days gone by. From their perspective, junior faculty members may see senior faculty in a position in which some of them can relax on the job. For the sense of equity and the sake of morale on the part of the junior faculty members, a periodic review for senior faculty members that would communicate similar standards of performance for both junior and senior faculty members would be beneficial. **NG:** I regard the fact that recently hired tenure-track faculty members have to work harder to gain tenure as a real sign of progress, a sure indication that IUPUI is on its way to become a better university. If we are now expecting our younger faculty members to work harder, we are also trying to compensate them better. If you look at the recent history of faculty hiring, at least in my department, you will notice that we have been recruiting our younger faculty

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members with very competitive salaries. It would be a mistake to think that we need a new (post-tenure review) policy to deal with senior faculty members who are not pulling their weight just to be fair to our younger faculty. The fundamental issue here really has nothing to do with fairness after all.

The concern about the expenditure of time and effort as expressed by Professor Ng as the chair of the Mathematics Department with an obligation for an administrative review of each of the 35 persons in his department is a very sound caution to all of us. I presume that most of us agree that administrative and peer review of both junior and senior faculty members should take place. But, the amount of time and effort that involves both administrators and faculty members in such processes must be seen as worthwhile to participate if the review is to have payoff. Otherwise, the processes will become administrative, bureaucratic, routine, numerical, and verbal dance rituals that end in completing forms and obligations but have little meaning in their own right. I sympathize with Professor Ng and I think that we should listen to him. Reviews must be done with attention to economy of frequency and effort but with a focus on quality and positive procedures and outcomes if faculty and administrators are to feel that the energy expended is worthwhile. Without attention to these considerations, the efforts won't be expended conscientiously.

Just a word about Responsibility Center Management [RCM] and its seeming relationship to the review and tenure process. For some schools, RCM is a questionable blessing. Responsibility Center Management introduces an uneven playing field. Perhaps we have questions facing us. Can and do some schools, which are better off financially under RCM, use rewards during the hiring and tenure process to offset the anxiety and concerns of junior faculty members working toward tenure? Are other schools not in a position to do so? Does this have an impact on the quality of whom is hired and whom gets tenured? I don't know.

ORME: Given some of the comments that we have heard, I am a little concerned on page 3, Item 6. "If problems are identified, the faculty member, chair and dean will outline steps to be taken to help the faculty member improve to a satisfactory level of performance..." We have heard that various faculty in different departments may have less than universal views of what constitutes satisfactory performance. Chancellor Bepko mentioned "pure faculty." It seems to me that faculty must indeed be pure if they have satisfied their peers, their department chair, and their dean in terms of their performance with not only what they have already accomplished during the past five years, but what they intend to accomplish during the next five years. That statement concerns me somewhat because it ups the ante as to what takes place and doesn't provide any kind of threshold for how substantial or substantive those problems might be.

TURNER: Thank you for your contributions. What I would like is to keep the discussion going and to look at the proposal and take it seriously.

WARFEL: I would like to say, for those of you who didn't get to make your comments, if your comment is going to help our discussion a couple of months from now, please let me know what it was so that as we come up with a different draft, we can try and incorporate it if it seems appropriate.

TURNER: I hope also you will go back and talk to your constituents and get their conversation going. The more we can get this document shaped up before it comes back to the Council the better discussion we can have.

AGENDA ITEM VII - QUESTION AND ANSWER PERIOD

TURNER: We will now move on to the next agenda item which is the question and answer period. Are there any questions?

SPECHLER: I have one short question and I think it is an important academic matter. Chancellor Bepko, in his State of the Campus address, mentioned the retention issue as one of the chief issues that we have to address here. I very much agree with that. It seems to me that we should have a discussion here and in other forums about how to increase retention at IUPUI. I have ideas but I am sure other people have even better ideas about how to do it. My view is that our advising system, despite all of the money we have spent and all of the good intentions, is really failing us in establishing a personal tie to the students who come on campus. I am not saying

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that just out of my own feeling, but from the many comments I received from my own students. They receive no, or even worse, contradictory advice from well-meaning advisors who are out of touch or are not themselves faculty members. I believe that this is part of the answer to improve our advising system and to increase the personal tie between faculty members and junior students on this campus. I have not doubt that there are other approaches that other people will have thought of.

BEPKO: That is a good point, Martin. I don't know if it is a question, but if it is, my answer is "I agree." *[laughter]*

SPECHLER: Can we do this? This is the number one question. Let's get to priorities. How can we do better?

BEPKO: I think there are a number of forums but I applaud the idea of having an additional forum. I think that, in the final analysis, our progress will come in various ways, but will be born of a group commitment: a commitment by us as faculty members that we are going to see to it that more students succeed.

ALIPRANTIS: Could you tell us what is going to happen with the enrollment for the spring semester?

PLATER: The enrollment for the spring is down, though let me caution you, as I do every time when I report on this, that we have not yet reached the point of census when we report official figures to the Commission and to the public at large. These are preliminary results. In general, we are down in enrollment by about the same degree as we were for the fall semester. Specifically, the headcount enrollment is down 3.1 percent in comparison with spring a year ago. The credit hours are down 1.4 percent in comparison with spring a year ago. There is a slight variation with the fall in that there was a much closer relationship between headcount and credit hours. In one sense this is a good news in that the credit hours have not decreased as much as the headcount.

BEPKO: I will make an editorial comment on that. I think all of the other campuses are down as well, including the Bloomington campus, which is a little more surprising because it was not expected. The good news is that we have hit the absolute bottom in terms of high school graduates in the state of Indiana. Starting with this class of 1995, the numbers will begin to grow again for a few years. Demographics will be shifting back in our favor.

COHEN: There was a report in the U.S. News and World Report which listed the major universities by tier (one, two, three, and four.) Have you seen that? It actually lists Indiana University - Purdue University Indianapolis. I have never seen us listed before regarding SAT scores, percent of faculty with doctoral degrees, percent of students from the top 10 percent of the high school classes, and other relevant data from that.

BEPKO: I am not sure I have seen the one that you are referring to. We have started showing up in more and more national databases and it is about time.

ROBBINS: A couple of days ago someone made a comment attributing the decline in enrollment of IUPUI to the increased competition for post-secondary education in the Indianapolis greater metropolitan area. Is there any evidence that that plays any role in the level of enrollments at IUPUI?

BEPKO: I don't think we can provide it one way or the other but we suspect it does. We see all of the advertising. You see it too, I am sure, Ed.

ROBBINS: I see all the activity, but I haven't seen anything related to how attractive the alternatives are to potential students.

BEPKO: The competition for students has become more intense each year, I believe. Since we began with a program of no advertising, no promotional investment at all, it has taken us a little while to catch up. I think that the quality of our programs exceeds our penetration of the market. We are trying to catch up so that the penetration of the market that we make is equal to the quality of our programs.

BARLOW: Somebody told me that on the television program "Jeopardy" one of the questions was "What is the longest name of a university in the United States." The answer was Indiana University - Purdue University

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Indianapolis. *[laughter]*

R. KECK: What is the activity of the potential building of a dormitory or student housing on campus?

BEPKO: The plans are to release request for proposals in the fairly near future for property that is on the west end of campus along Michigan Street at the river where the old police and fire tower and roll call site were. We can't do that though until the Riley garage is finished and the outpatient center is underway because we are using that area for parking. It is essential to have it for parking. But, as soon as all of that is cleaned up we should have requests for proposals and we will be working with appropriate committees to decide which of the proposals is best and then we will build some housing through private developers that will be designed primarily for students. We have some work to do to refine our own thinking about what we should ask for. Bob Martin is leading this. If you would like to contribute to it, I suggest that you talk to him. We are a little behind schedule actually. I think the first estimation was that we would be underway with construction by now, but these other capital projects have held us up. The concept that we should not build high rise dormitories because the students who we have and students across the country are rejecting that as a mode for campus living. But, that the development should include apartments which students can live in together -- in twos, threes, and fours -- so they can have more than just a room -- they can have a refrigerator and television set and maybe a living area to share with others.

The housing will probably be occupied by some 18 years olds but we think that the immediate market is probably more toward those students who have come to us at a little more advanced age. The prototype is a student who graduated from, let's say Brigadoon, Indiana High School and once every 100 years *[laughter]* and then they work at Brigadoon for a couple of years, realize that this small town in Indiana wasn't going to meet their expectations for their future and they wanted to go somewhere to expand their life. They didn't want to go to Bloomington or Lafayette or another residential campus because they felt they were older and that they were interested in college life as it is portrayed on residential campuses. Therefore, they come to Indianapolis we think in fairly significant numbers. They want to go to school, but they also work. They would go to school more if they could earn enough at a part-time job. They want to live in dignified housing that is consistent with their middle-class / upper middle-class tastes and expectations for themselves. They can't find that in the private market. They don't want dormitories either. They can get upscale apartments like Lockefield, but that is too expensive for them. They can go up six or seven blocks and rent something that is sort of dilapidated, but that is inconsistent with their expectations for themselves. We think there are a significant number of students in that range that would add a great deal to the life of the campus if they could live right here.

MCDONALD: Those students also want on campus child care and have wanted it for many years.

BEPKO: We have pressed for that for a long time. We are definitely going to look at child care as a part of this complex. We have flirted with expanding child care many times. But, we have to recognize that what most people want in child care is subsidized child care. Substantially subsidized child care means taking money away the academic budgets to pay for this. When we get to that stage, we get a tremendous resistance in the academic community. Some of the same people who advocated child care say, "Oh well! I want it but you didn't expect us to pay for it, did you?"

TURNER: That takes up our 10 minutes for questions and answers.

AGENDA ITEM VIII - UNFINISHED BUSINESS [There was none]

AGENDA ITEM IX - NEW BUSINESS [There was none]

AGENDA ITEM X - ADJOURNMENT

TURNER: I would like to hear a motion for adjournment. [Motion was made] The meeting is adjourned.

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
FACULTY COUNCIL MEETING
FEBRUARY 2, 1995
LAW SCHOOL, ROOM 116
3:30 - 5:15 P.M.

Administration Present: Chancellor Gerald Bepko, Dean William Plater. **Dean Present:** John Barlow, P Nicholas Kellum, Norman Lefstein, Angela McBride, Alfred Potvin. **Elected Faculty Present:** Roko Aliprantis, Henry Besch, Timothy Brothers, Timothy Byers, Gayle Cox, Karen Gable, Gareth Gilkey, Stuart Hart, Dolores Hoyt, Juanita Keck, Robert Keck, M Jan Keffer, Raymond Koleski, Missy Kubitschek, Dana McDonald, Richard Meiss, Byron Olson, William Orme, Nasser Paydar, Michael Penna, Richard Peterson, Rebecca Porter, Norris Richmond, Edward Robbins, Carl Rothe, Charles Slemenda, David Suzuki, Karen Teegarden, Kathleen Warfel, Richard Wyma. **Ex Officio Members Present:** Barbara Cambridge, Janet Feldmann, Edgar Fleenor, Paul Galanti, Carlyn Johnson, Martin Spechler, Richard Turner. **Visitors:** Trudy Banta (Vice Chancellor Planning and Institutional Improvement), Erwin Boschmann (Faculty Development Office), Howard Eigen (School of Medicine), Michael Fritch (School of Medicine), Mark Grove (Registrar).

Alternates Present: Deans: George H. Rawls for Dean Walter Daly, James A. Baldwin for Barbara Fischler, Raymond Koleski for Roberta A. Greene. **Elected Faculty:** Mary Fisher for Margaret Applegate, Eleanor Donnelly for Patricia Blake, Sonja Duelberg for Jeanette Dickerson-Putman, Hitwant Sidhu for Jeffery Vessely. **Ex Officio Members:** David Frisby for Virgie Montgomery.

Administration Absent: J. Herman Blake. **Deans Absent:** A James Barnes, Trevor Brown, H. William Gilmore, Kathy Krendl, John Rau, Robert Shay, David Stocum, Donald Warren, Charles Webb. **Elected Faculty Absent:** Biagio Azzarelli, Darrell Bailey, Merrill Benson, Diane Billings, Zacharie Brahmi, David Burr, David Canal, Lucinda Carr, Michael Cohen, Michael Dalsing, Paul Dubin, Howard Edenberg, Elizabeth Evenbeck, Naomi Fineberg, Joe Garcia, Carlos Goldberg, Linda Goodine, Henry Karlson, Stephen Lalka, Stephen Leapman, Eric Long, James McAteer, Lynda Means, Debra Mesch, Bernard Morrel, Bart Ng, Ken Rennels, Michael Sadove, Brian Sanders, Richard Schreiner, Jane Schultz, Lee Schwecke, Akhouri Sinha, Jeffrey Springston, Jerrold Stern, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Charles Yokomoto, Susan Zunt. **Ex Officio Members Absent:** Ronald Dehnke, J Vannoy Faris, S Edwin Fineberg, Robert Lehnen, Karen West, Student Representative.

AGENDA ITEM I: CALL TO ORDER

TURNER: Let's call this meeting to order. I might remind you to identify yourself when you speak even if you are very ashamed of what you are going to say. *[Laughter]* It is important for us to be out of this room by approximately 5:15 today. Therefore, I have placed some time limits on the agenda items. The longest time allotted is 20 minutes and that will be the "major issues" item.

AGENDA ITEM II: APPROVAL OF MINUTES

TURNER: Did everyone receive the December minutes? [The indication was that everyone had received them.] Therefore, let me amend the agenda to include the approval of the December 1 minutes along with the approval of the October 6, and the November 3 minutes. Are there any changes or additions to any of these minutes?

MCDONALD: I move that we approve all of these minutes.

FELDMANN: I second that.

TURNER: It has been moved and seconded that the minutes be approved as distributed. All in favor, say "Aye." Opposed? [None] The minutes are approved.

AGENDA ITEM III: ADMINISTRATIVE REPORT: Chancellor Gerald Bepko

BEPKO: Last Saturday at the Policy Committee meeting of the IU Trustees there was a discussion of the faculty governance system throughout Indiana University and how rapidly it responds to issues that are confronting universities and whether there aren't ways that are more expeditious in making decisions. Issues were raised by the Trustees themselves; Ray Richardson in particular. I think we have done a good job of addressing issues in a timely manner. But, in the interest of expediting the entire process, I think all I will say today is that the campus seems to be, as always, bubbling with vital, exciting, intellectual activity. We are well on our way toward the greatness that is the destiny of IUPUI. Thank you. *[Applause]*

AGENDA ITEM IV: PRESIDENT OF THE FACULTY REPORT: Kathleen Warfel

WARFEL: That was one of my agenda items -- not to talk about our emerging excellence, but to talk about the Board of Trustees meeting. Paul Eisenberg and I were invited to talk to the Trustees's University Policy Committee, which is one of the Trustees committees which meets during the Trustees' meeting. We chose as our topic to discuss with them faculty governance in general because some of the Trustees are new and don't have a clear understanding of how our governing system works on multi levels. This is going to be something which will continue into the next Trustees' meeting. One of the Trustees in particular is interested in getting a faster answer from faculty governance and has suggested that we come back to the meeting next time with some ideas as to how we can make the system move faster, which we will, of course, attempt to do.

The Council on Undergraduate Learning met on January 25 and continues to give presentations from schools about their school's general education programs. We will continue at the February 22 meeting to hear from more schools until we have heard from all of the units that have an undergraduate mission. Although there is some overlap hearing from each of the schools, I think it has been very instructive in terms of understanding what each individual unit is all about. At the same time, we are asking the schools to submit in writing briefly their ideas at this point of what campuswide general education principles would be acceptable from their school's point of view. The next meeting of the Council on Undergraduate Learning is February 22.

There are three symposia or forums that I would like to bring to everyone's attention. Probably all of you have received the notice about the Joseph Taylor symposium. The topic this year is "Race Gender and the Changing Faces of the Professions and their Society." This will be on February 8 at the Conference Center.

On February 9, there is an open faculty forum sponsored by the Faculty Council. The topic, of course, is Dean Plater's views on "Future Work and Faculty Time." The format will be that he will present a somewhat abbreviated version of a speech which he has given all around the country. There will be an opportunity to discuss some of his ideas with him. Please spread the word as much as possible and encourage people to come. Our future is approaching faster than we think and it is time to begin talking about what it is going to be like. There will be a reception following.

PLATER: It is the abbreviated version of the speech which I have given around the country. Would you like to have the full version? *[Laughter]*

WARFEL: The other open forum session is on Wednesday, March 8 from 3:00 - 5:00 p.m. and is open to both faculty and staff. We are going to start talking about it now so people can mark their calendars. Our Task Force on The Status of Women Faculty has an interim report and has also planned an open forum to be held at the Indiana Room at the University hotel. The task force will report on some of their work to date and there will be an opportunity for people to enter into the discussion.

The only other item I have is to remind you that President Brand's task forces have been appointed. They are up and running and I suspect that in the very near future we will begin to see calls for entries, input, open sessions, etc. I can't encourage you too much to please participate in this process. It is a real process.

There are going to be real changes and we need to get our opinions in, now, not next year. That is all I have.

TURNER: Thank you, Kathy.

AGENDA ITEM V: CLINICAL RANKS DOCUMENT: Discussion and Possible Action

TURNER: I will report on the next item of business which is the Clinical Ranks document. I will step out of the position of Vice President of the Faculty for this report.

What you received in the mail is a report of the Task Force on Clinical Ranks. The first page of this report summarizes the charge given to the committee last fall. The names of the task force members are listed on the first page. I wanted to thank them for the work they did in bringing this report together. With us today are two of the members of the task force – Howard Eigen and Richard Peterson. During this report, I hope they will help me respond to some of the questions.

Since the report was presented to Dean Plater and Kathy Warfel, it has been reviewed by the Executive Committee of the Faculty Council. As the Executive Committee has suggested some changes, let me read those to you.

The first part of the report is to change the wording of recommendation #1 on the second page of the report. It changes the wording under the heading "CLINICAL RANKS." At the top of the next page, in other words, after where your text leaves off where it says duties.. The Executive Committee has suggested the following language be inserted.

~~Clinical faculty may be involved in research which derives from their primary assignments in clinical teaching and professional service. Continued appointment and advancement in rank must be based on performance in teaching and service.~~

At the end of that paragraph the Executive Committee has suggested that the following sentence be added:

~~... Clinical rank faculty are not eligible for administrative appointments at and above the department-chair level.~~

In the middle of the next paragraph, after the sentence which states, Long-term contracts for clinical faculty may be renewed for successive periods of not less than five year periods, the Executive Committee has suggested that the following be added.

~~Each School will establish procedures for the review and renewal of long-term contracts.~~

At the end of that paragraph, where it states ..."tenure-track faculty during the probationary period,..." the Executive Committee has suggested the following be added: ~~including the right to request a hearing before a Faculty Board of Review.~~

The changes are meant to make explicit some of the assumptions that were part of the committee's original report.

The essential parts of the report are to change the wording in the handbook to allow for an increase which would allow us to move the 15 percent cap. It doesn't require anybody to increase the number of clinical ranks, if they don't want to. It sets up a mechanism for the faculty of each school to make those changes. We are suggesting that the wording in the first recommendation be placed in the Academic Handbook and that would be true for the entire University. Recommendations 2, 3, and 4 are meant to be local policy regarding clinical ranks for this campus.

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We are bringing this to you today for your comments, suggestion, and review. We would like to bring it back in March for a vote for approval. Once it is passed here, it will then go to the University Faculty Council for approval and consideration as change in the Handbook. It is now open for discussion.

WARFEL: Richard, I might start by thanking the task force for their work. I think the language that is suggested as replacement for the Academic Handbook language contains a number of things that address the concerns of different groups. First, you will remember that the School of Law was very interested in getting on with being allowed to use these ranks. The language now, once again, eliminates the focus on the health services and talks about faculty in positions where their primary duties are clinical teaching and professional service, thinking that clinical teaching could be in the clinical situation of the court or other applications that aren't medical clinics or dental clinics, but are clinical nonetheless.

The second thing, in particular, that the Executive Committee's language adds is a clarification of what the purpose of the clinical ranks are. That is, we need these people primarily to do clinical teaching and professional service. While we would not forbid them from doing research, but, if they were doing significant amounts of research, of course it would be appropriate for them to be in tenure track or tenured positions. So, the language about clinical faculty may be involved with research that comes out of their clinical work; their promotion and success in this position will be judged on their clinical teaching and their professional service and not on any research. The research component would not be part of their expected review procedure.

The third thing this language does, of course, is address the urgent request from the School of Medicine for raising the cap. It will now be up to the tenured faculty within each school to decide what their school cap is going to be as long as the majority is still tenured people.

The fourth thing that the final large paragraph does is to address the other rights and privileges of our clinical rank colleagues. In the previous language there is essentially no rights and the privileges are defined for them. I think that this should go a long way toward helping the Law School, the Medical School, and also the clinical rank people and the academic integrity of the institution.

POTVIN: Has the task force considered a name other than "clinical" faculty? I can see some situations in our technology departments where it might make sense to have a type of faculty as defined here. The word "clinical faculty" in the School of Engineering and Technology somehow doesn't ring true. I can't think of a better name, but I wonder if a broader name than "clinical faculty," which construes health care, might be considered more appropriate?

TURNER: We didn't address that.

SIDHU: You have raised the cap from 15 percent to 50 percent of the total full-time faculty of each school. There is no mention as to the procedure. My question is, will every tenured and tenure-track member be given an opportunity to vote on that issue or will it be decided by those who are present? How will the decision be made?

TURNER: I guess it is assumed that within each school whatever their habits are for making those types of decisions will be acceptable.

PETERSON: I have a comment related to the name of the clinical rank. Mark Rosentraub, who is a member of the committee, suggested that they had some people who were not faculty who did provide certain services for their school, and I believe it was under the professional ranking system, which may or may not fit into your situation. They shouldn't be called "faculty" under those conditions but may serve the purposes that you might have.

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POTVIN: Is there flexibility to utilize the guidelines, assuming this is passed, along with a different name that might be more appropriate for various schools across the campus?

TURNER: This document is looking to address the clinical rank that exists as it was developed for the School of Medicine and has become of interest to the School of Law. If the uses of the faculty rank are consistent with the policy, then presumably we can do that under this policy. Clinical rank faculty is meant to be a positive designation for a certain configuration of duties. As other schools find different uses, the expectation was that they would have to develop a different set of names for those. Everyone who is not tenured or tenure-track doesn't come under the umbrella of clinical ranks. What falls under this and what doesn't probably needs to be looked at as a separate case. It would be hard to say.

LEFSTEIN: I have two comments. First, speaking from the standpoint of the School of Law, I accept everything the task force has said because this is very positive for the Law School. I really applaud what the committee has done. To deal with Dean Potvin's question, am I correct that the term "clinical" is not defined any place? Either here or elsewhere?

PLATER: The only place it is defined is here. This is the only reference to describe what "clinical rank" is. I would like to go on and comment in reference to these remarks. The determinant would have to be approved by the Board of Trustees. It would not be possible, Al, for example, for the School of Engineering and Technology at some later date to say, "Well, we have a name that is almost like 'clinical' that we are going to adopt." The substitution would have to be approved as all faculty ranks have been so designated by action of the Trustees. That is not to say that it couldn't be done at some later time, if you found a better word to substitute for "clinical" but it would require that kind of action. One further comment on professional appointees that Dick Peterson referred to, it is possible for a professional appointee to also have an adjunct appointment and to qualify for teaching and other activities. We try to maintain a very clear distinction between faculty appointments and professional appointments. I think the situation that Mark Grove is describing involves people who are not engaged in teaching; primarily they are engaged in professional service. If they are teaching, it is because they also hold a visiting or adjunct appointment.

KEFFER: If up to 50 percent of the faculty is clinical, what are their obligations to faculty governance?

TURNER: That is to be announced. The last recommendation is that the Faculty Council consider the matter of how it regards people with clinical rank. Then, on the basis of that, advise each constituent school about its means to make some kind of determination. So, the voice that clinical rank faculty have may vary from school to school, but at some point, there would be some consistent position taken throughout the faculty.

WARFEL: I think currently the way the University Faculty Constitution and Bylaws are written, the UFC participation requires you to be a voting member of the tenured faculty. This Council also requires the same thing, although that is, of course, our constitution. We could consider fiddling with it if we felt like it. Of course, within a school, a school has a lot of these people to participate within the school in any way they like. I think it will be very important for the full-time, tenured and tenure-track faculty of each school to think very carefully about what percentage they think is appropriate. Again, it is important to keep clear in your mind what this rank is created to do.

ROTHER: It is my impression that this has been batted around for about one and half years and it is very critical for the School of Medicine. I am very disappointed that we do not have the exact language to be approved here, so it can go on to the Trustees.

TURNER: We are not approving it today.

ROTHER: Why did it say in the agenda for possible action?

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TURNER: That agenda was set before the Executive Committee changed the language. The thought was that by the time we got the report out, there wasn't enough time for the schools and for the committees of the Faculty Council to examine the report.

FISHER (for Margaret Applegate): I guess one thing I see missing here that would be a concern to me is that there is no indication as to what level or criteria these people have to meet in relationship to rank or tenure. I understand they do not get tenure but there is not clear to me as to how it is determined what rank they would be.

TURNER: Recommendation #2 asks that each school develop procedures to spell out precisely what criteria they would use in making these determinations -- both for hiring and for retention.

FISHER (for Margaret Applegate): I was thinking, not so much specifically by school, but as a general practice.

PLATER: I don't recall if it is in this language or elsewhere in the section of the handbook that deals with promotion and rank, but clinical rank faculty are expected to meet all of the expectations except for research for advancement in rank. In that section of the handbook it spells out, with reasonable particularity, what is expected for advancement to associate professor or to full rank professor.

FISHER: So, this does not exclude that?

PLATER: No. The assumption is that clinical faculty meet all of the expectations in teaching and in service.

COX: Listed under concerns is one that the percentage of women who are appointed as clinical faculty far exceed those who are in tenured or tenure-track positions. I am trying to discern how this proposal would benefit or address that issue. It indeed may even apply to minority faculty members as well. My concern is that with a cap set, we will have more people pulled into a "second class citizenship" as a result?

TURNER: At least a part of what we did in our report was to provide most of the protections of tenure-track faculty. We felt that was redressing some of the sense that these people were "second class citizens." It is not everything that tenured and tenure-track faculty have, but it at least helps for a balance in the situation in terms of protections, rights, and access to the procedures and policies that tenured and tenure-track faculty have. We did not have any way to address the matter of whether or not there was gender equity. We sort of weaseled our way out of that because the campus had also appointed a Task Force on the Status of Women and that is something that Task Force can take up."

WARFEL: I think it is an important point that we can get back to because it was one of the original concerns in charging this task force. It is true, for example, in the School of Medicine, that 15 percent of the tenured and tenure-track positions are held by women, whereas 35 percent of the clinical rank positions are held by women. I think what this document does is to clarify what the rank is for and it gives the people within their ranks some defined rights and privileges. At least with this in place, people would have a chance of understanding what is meant to be a clinical rank professor and understand that they should not be subject to a criticism because they don't have funding for their research as a clinical professor. I think that it will clarify for the school and clarify for the individual faculty members regardless of which of the ranks they are appointed in.

The other important part of these recommendations is that, depending on what version you have in front of you, one of the recommendations is that the use of the clinical ranks be reviewed each year by the Faculty Affairs Committee. I think the Faculty Affairs Committee could ask the school to report on who is holding these ranks.

BALDWIN (for Barbara Fischler): It seems that it is the faculty's interest to have as many well-rounded faculty as possible and I don't see the justification for raising the percentage.

TURNER: We needed a principle to determine how to address the matter of numbers. In a number of medical schools across the country the number of clinical ranks is as high as 75 or 80 percent. Where the handbook speaks to that, it states that the faculty of a school shall be tenured and tenure-track appointments. We took that to mean that that still is true if there are more than 50 percent of the faculty in the tenure-track or tenured ranks. That is where we got the percent figures. That 50 percent figure then gives the School of Medicine the room it needs right now and still preserve the sense that it is consistent with other faculties. The handbook says that tenured and tenure-track faculty appointments are for the faculty.

KUBITSCHKEK: If I were clinical faculty and I were going to be better off under this arrangement than I am now, I don't know that I would be particularly encouraged by the part, that is as long as each school has less than 50 percent clinical rank appointees, all positions regarding important matters continue to be enhanced at the tenured and tenure-track faculty which means that whatever they have is handed to them through a process in which they have no voice and are not assured to be listened to. In terms of the "weasel" on the issue of the percentage of women represented is a rank of the clinical, unless this task force has gone to the Task Force on the Status of Women and asked for feedback about this particular proposal and received some, then I don't think that issue has been addressed and I think we ought to set a weasel trap. *[laughter]*

TURNER: The task force did have the wisdom to bring to bear on that. *[laughter]* If it is not acceptable, then we can refer this to the Task Force on the Status of Women and let them address that matter. As far as how clinical rank faculty feel about the relative ways that tenure carries the university, that is true. Tenured faculty carry more weight in the University, and in most universities.

SIDHU: Clinical ranks are not included in "N" number as members of the faculty regarding election of any faculty within the university. Is that correct?

WARFEL: That is correct. What this document does is to clarify what the clinical ranks are. The issue of whether or not there is gender and equity in any school using the clinical ranks and in the way they use it is, in my mind, a separate issue and one that is not being put to rest. So, we can get on with defining what the clinical rank is and how it should be used and then we can talk about whether or not there is gender and equity.

SPECHLER: I would like to say first of all that I agree with my colleague, Missy Kubitschek, once again that some provision should be made for proportional representation from this group. It just doesn't seem right to have a large number of people with valuable service and they not be represented in faculty governance. It seems to me that a compromise could be raised by having some type of proportional scheme.

On the other hand, I want to raise a different matter. That has to do with mobility between the faculty ranks and the clinical ranks. I take it that if you are in clinical ranks, you can be a candidate for a tenured position or a tenure-track position as anyone else can. I think that is true. But, what happens when a faculty member on tenure-track or tenure wants to move to a clinical rank? Is that possible? Is it possible on a temporary basis? Does a person who is a tenured, associate professor but wants to be promoted to professorship on the basis of teaching and service, find out that they will be moving to the clinical rank? I think the whole matter of reasonable mobility between the two tracks hasn't been considered.

WARFEL: When this rank was first created in 1987, there were rules written about those who wanted to jump off the tenure track and onto the clinical rank can do that, but they have to do it before the end of their fifth probationary year.

SPECHLER: For example, take somebody with family responsibilities, suppose this person finds that those family responsibilities are quite time consuming and as a result have not been able to perform excellent research, would it be possible for such a person...

WARFEL: You mean adequate research?

SPECHLER: At least adequate, but whatever the standard is, because the family responsibilities person has not been able to fulfill that, he or she still have a great deal of promise and is an excellent teacher. Could a person occupy a clinical rank for a period of some years until the burdensome family responsibilities had ended, and then move back into a tenure-track or tenured position?

PLATER: No.

WARFEL: That person needs the policy to stop the tenure clock and the policy for family leave situations. This would not solve the problem.

PLATER: A person who leaves the tenure-track to go to the clinical rank may not come back on the tenure ranks except as a candidate for a new position as a result of a duly constituted search. We can't deny a person from applying and being considered, but there is no other way to come back on the tenure track.

SPECHLER: I am glad to get that clarified.

WARFEL: It all gets back to clarifying what this rank is for. It is not just a lesser version of what everybody is doing. If your school doesn't need people in the trenches taking care of patients or whatever it is, if they don't need a large number of people to do that 100 percent of their time, then they don't need to use the clinical ranks.

TURNER: We are out of time. Please feel free to send any opinions, concerns, or questions you have to either Kathy, or myself. This will come up next month for a vote.

AGENDA VI: CONTINUED "MAJOR ISSUE" DISCUSSION: DISMISSAL OF FACULTY AND LIBRARIANS FOR MISCONDUCT - DISCUSSION AND POSSIBLE ACTION

TURNER: Our next agenda item is the Continued "Major Issue" Discussion and Rebecca Porter, chair of the Faculty Affairs Committee, has agreed to lead the discussion.

PORTER: Being charged to bring forward to this council a document on procedures for dismissing faculty is challenging. On one hand, the faculty are concerned that such procedures have the potential for abuse by those in power. On the other hand, faculty are concerned that the rare individual who should be dismissed somehow hangs around the system too long before action can be taken. It was with both of these interests in mind that the Faculty Affairs Committee debated over the contents of this proposal. It is our assessment that the document before you represents an appropriate balance.

As a brief reminder of the background of this discussion --

In April 1988 Susan Zunt, Faculty Council Secretary and Dean William Plater appointed the Task Force on Faculty Appointment and Advancement.

May 1988, Dean Plater issued an interim policy on faculty dismissal proceedings

In June 1992 the Report of the Task Force of Faculty Appointment and Advancement recommended that the interim policy on faculty dismissal proceedings, issued by the Dean of the Faculties (May 4, 1988) or its

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approved version by an authorized group, become university policy.

Discussions among representatives of the Faculty Council, including members of the Faculty Affairs Committee, University Legal Counsel, and the Dean of the Faculties occurred on an intermittent basis.

During the summer of 1993, the Ad Hoc Implementation Committee, appointed by the Executive Committee and the Dean of the Faculties, developed draft documents to enact the recommendations contained in the 1992 TFFAA report.

The draft documents concerning dismissal proceedings were referred to the Faculty Affairs Committee for discussion. The procedures for dismissal on the grounds of professional incompetence have been discussed, revised, and accepted by the Faculty Council. The procedures for dismissal based on misconduct (pages 6-8 in the packet you received) are being introduced to you today.

To assist you in understanding the process, I will briefly walk you through the component steps and provide some rationale.

Paragraph 1 (lines 7-22) provide a framework for understanding examples of acts which could constitute misconduct. It is not meant to be an exhaustive list, but rather to provide guidance.

TURNER: Becky, are you bringing this for a vote today?

PORTER: I would be very surprised if we can progress to that point.

ROTHE: On page 6 about the Informal Discussion Period at the bottom it reads ...is only to render an opinion as to whether the nature of the alleged conducted may properly be characterized as "serious misconduct"... Does that imply that they can have no hearings, no witnesses, no investigation and they must rely totally upon what the dean provides?

PORTER: The purpose of this committee is not to decide whether or not the act occurred, but to decide whether or not the description would indeed be serious misconduct.

ROTHE: It seems to me that unless the peers can get involved you are asking the individual to go to a court of law. There should be some chance, before you get all the way to the Board of Review, to have some witnesses.

PORTER: This has been a difficult section and has been written in several different versions. We began working along the line that you are talking about now -- building in additional structure to the committee's responsibilities at this first level in the informal discussion period. We found it very difficult as you start folding in all the levels of protection and what we were moving toward was simply going immediately to a "Board of Review" structure. We have been using the "pencil" example. I take home a pencil from work. Is taking one pencil considered misconduct? I hope not, but if you are taking grosses of pencils, at some point my colleagues are going to characterize that as serious misconduct. There could be a situation in which you are being asked to perform a function you do not want to do. Characterization of your refusal as serious misconduct may depend on the standard applied to your colleagues. If I refuse to teach an 8:00 a.m. class, is that serious misconduct? Well, if everyone else on the faculty can choose when they teach and only I am being mandated.... That is the intent of the committee input during the informal discussion period.

WARFEL: You will remember earlier this fall there was the issue of dismissal by reassignment. If a person refuses to be assigned, is that serious misconduct and can you go ahead and dismiss them? This would be a way for peers, acceptable to both the dean and the faculty member or librarian who is involved in this terrible situation, to agree on a group of people and listen to their judgment. I think this group not only

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advises the faculty member as to where the peer group thinks they stand -- but whether or not they actually committed the act.

ORME: Going back to your pencil metaphor. The paragraph above that (line 35) where it is even more informal, indicates that "Several meetings may be required..." Elsewhere it seems to me the report is very careful to delineate type of spans and things of that nature and in here it is not. I wonder if there might be somewhere needlessly, by the pencil metaphor, where every Friday your chair or dean calls you in and says, "you have done this" and it is really perhaps something minor and may not be cause for major conduct, but because it is repetitive.

If I might quickly make one more point . On line 15 "outrageous behavior" seems to be a very subjective term. I would hope that might be nailed down in some way.

PORTER: It is difficult to define.

TURNER: We will expect this to come up at perhaps the next meeting. Do you have other concerns or comments?

ROTHER: Let me stay with that item on the committee. Could you at least add to it "the committee will meet with the dean and the alleged faculty member?" Maybe then also have a written report generated by that committee.

PORTER: I can share with you the committee's discussions on the idea of a written report at the informal discussion stage. We discussed and debated over the requirement of a written report. There were concerns about how a written report could be misused in the formal review process. As the document is currently written, the peer committee could decide whether or not to put its findings in writing. There are times that the peer committee should decide to report in writing, but there are other times in which it would be best for the report to be done verbally. That is why we did not mandate that it be in writing.

PETERSON: I think one of the reasons behind that is, if one does establish in writing saying that is serious misconduct, that is a judgment in and of itself and may bias future decisions on the part of that Board of Review or whatever other committee may deal with this issue.

PORTER: The peer committee may have to reach a decision on whether or not the alleged act is serious misconduct on the basis of verbal descriptions of the alleged act. The written characterization of the alleged act as serious misconduct could bias subsequent faculty committee (Board of Review) considerations; however, the Board of Review would not have written documentation of whether or not the verbal description of the alleged act matched the actual act.

SPECHLER: It has been raised that there are legal acts which are outrageous but a lot of people did it because they are legal. It doesn't seem to me that illegal acts and misconduct are coextensive in the university. We had a well known incident a couple of years ago of a faculty member who was a holocaust denier. That certainly is an outrageous position for a historian today. Our dean, acting swiftly and correctly, brought about the dismissal of this faculty member and would have done so, I am sure, even if the faculty member had been a tenured, full professor. Holocaust denial is legal in this country and should be legal, but it is outrageous and does disservice to the mission of the university, which is an objective search for the truth. I am not persuaded that the consideration for law decide one way or the other what would constitute misconduct at the University.

PORTER: What we didn't go though (and is currently contained in the document, although it is proposed to move to the Introductory section) the statements saying "University policies shall be observed, particularly concerning equal opportunity, academic freedom, academic ethics, and discrimination." Additional limitations on reasons for dismissal are stated. I think we will have to go back and insure that the protective language is

sufficient for the cases you mentioned and carefully look at the wording.

ORME: Pursuing outrageous behavior again, I would like to suggest to the committee that that language simply be stricken. I think it causes more trouble than it is worth. I think it has ample opportunities to cause mischief in the future. With all due respect to Martin's comments, I think there is a difference between poor scholarship and outrageous behavior. We have an art school in the university. We may certainly look to the world of art for outrageous products which are nonetheless of high quality. I would be concerned about whether this university would be willing to protect the maker of that art not because his work is bad, but because it is outrageous.

TURNER: Thank you. We will bring this back to you next month.

AGENDA ITEM VII: STANDING COMMITTEE REPORTS

TURNER: We have time under Item VII for one standing committee report with an urge to report. [None]

AGENDA ITEM VIII: QUESTION / ANSWER PERIOD

BEPKO: Someone asked the question about how they could actually participate in the task forces that Kathy mentioned before -- the eight task forces which are being asked to develop recommendations on strategic directions for Indiana University. You should have received in your electronic mail mailbox a communication that gives you instructions on how to subscribe to a listserv for each of the eight task forces which are now working. You are invited to do that. If you do sign up and subscribe to the listserv, you will receive all of the public communications from the task force and will be able to communicate with all members of the task force through that listserv. There are also addresses and phone numbers which you can write to or call if you are not interested in communicating by electronic means.

ROBBINS: Are you confident about those invitations already being sent? I was on my E-mail as late as early afternoon and have not encountered any of these in my e-mail.

BESCH: It came to my box three different times today.

PETERSON: There is another problem eventually in how you get E-mail off your University system as to whether or not you receive all of the messages. I can give you an example. I use Edora online. I do not use INDYVAX directly. I access INDYVAX to get the mail sent to me but Edora does not give me University messages that require us to sign on and off the account. So, you miss something if you don't literally sign on and off your account. That is a deficiency in the system. One example that I use and I think it is a fairly major problem. I tried to dial a long distance telephone call the other day and it kept telling me I was making an error. I have always dialed the "9" and then the area code and then the number. I never had to dial "1." All of a sudden, you have to dial "1." An e-mail message apparently came out several days ago stating that you had to dial "1" when you call long distance. There was only an e-mail message; no other method of communication that I know of. It is not a serious problem, but it is an example of miscommunication. If you are going to change something like that, make sure everybody gets the e-mail message or a paper message which is mailed to everyone individually.

BEPKO: It may not make you feel any better, but I received the e-mail message that told me to dial "1", and I still haven't done it. *[laughter]* It is hard to remember.

ALIPRANTIS: Concerning the teaching load, Bloomington is to teach four courses and IUPUI is six. Could you explain that?

BEPKO: I don't think any teaching loads have been mandated. The only thing that has been done is that the Trustees, on a recommendation of the joint committee that they appointed along with the faculty, have said that they would like to have a report on the teaching effort that takes place within the University. That will be presented in two ways to the Trustees. One is by way of keeping score globally across the University. For that purpose they have asked to have used the "Wisconsin Format." The essential nature of the Wisconsin Format is that it counts only group instruction and not individual instruction. It separates those out so you can see what instruction takes places in groups and what takes place individually, such as individual supervision of dissertation and other projects.

The second thing they have asked for is for the faculty to consider whether the Capacity Model shouldn't be used for all of the University as a second way of looking at faculty teaching effort. In response to the statement that many of us made to the Trustees, that keeping score through something like this Wisconsin Format doesn't really tell you very much because the global data that is generated masks an extraordinary amount of complexity and differences unit to unit and faculty member to faculty member. The only way to really look at this and find out the best way of judging what is going on is to go to the grassroots level. The College of Arts and Sciences in Bloomington has developed this Capacity Model. I think it may have to be adapted to the individual circumstances in the unit, school, or department. But that does a lot to commend it. It has been discussed widely. If you would like copies of the description of it, I will be happy to send you one. I think its principal virtue is that it looks at groups of faculty rather than at individual faculty. It looks at group instructional productivity as measured by courses taught not individual faculty. The Trustees will take this up again at their meeting in March and by that time there should be comments back. Faculty Councils are preparing comments, I believe.

SPECHLER: I have a comment on that, Jerry. The Faculty Affairs Committee of the University Faculty Council has been asked to respond both to the Wisconsin Model reporting and the Teaching Capacity Model of decision making. I can tell you, Roko, that in our reply, which will be delivered in two weeks time, we will categorically reject that a single number could be used for a campus as diverse as IUPUI. We will instead urge the notion that the teaching load be differentiated among schools and even among departments where the mission, funding opportunities, and capacities differ. We will absolutely reject the notion that the course load is single number, the expected number of the average for IUPUI. That was the unanimous recommendation of our committee.

BEPKO: I don't think the Trustees would disagree with that. I don't think their expectation is a single number for a campus especially with respect to IUPUI, I don't think they have any interest in doing so. I think the only question that would be put to the academic units after the Capacity Model (if indeed it is used), is in use (if it is), then in order to determine the capacity they have to pick a number for each unit. It doesn't have to be a school; it can be departments, but Capacity Model is applied in the College of Arts and Sciences has quite different numbers for different departments. In a physical science the numbers are lower; if a social sciences the numbers are a little higher. I don't think that anyone expected there to be a single number. I think the challenge will be, the only reason numbers are not mentioned, is that if we do the Capacity Model right now, and some schools were looking at that to see how it comes out, if you pick a number that is too low to state your capacity, your joining an issue that could be resolved by the Trustees. That is where the number three courses per semester or six per year has come from. If your department thinks that you should teach less and you think you have a very defensive case for that, then you might want to try the issue. I don't have any doubt that there are lots of departments that should teach less than that. But, I think it is a question of what you think your capacity ought to be and how you want to state it. I think the danger is that if you join the issue and you have picked a number that is too low, you may have it reversed. Let me add a footnote on that. I think the way people look at this is to measure what a department shows and at what level. The more lower division courses that are taught by a department the more it might be expected to teach, the more upper division, the more graduates, the less.

CAMBRIDGE: Could I add that the Task Force for Accountability and Assessment is looking at this very carefully. Not only are we looking at the Wisconsin System and the Teaching Capacity Model, but at other ways that might add to those that will be a more comprehensive look at what faculty do. We have a public listserv - ASSESS@INDYCMS - for e-mail conversations. We welcome faculty views about this and suggestions of ways to modify what has been suggested previously.

BEPKO: I think it is also important to recognize that this whole issue of measuring productivity by counting sections is moving off the screen. I think that the more important issues are issues that are taken up by the Task Force on Accountability and Assessment, and that is to look at real outcomes and not inputs. We have been urging that all along. It strikes me as being at least a touch ironic if we make a big issue out of all of this. We ought to be saying, as we have all along, that the important thing is to look at what they are producing, not what a work load is as defined by courses per semester.

TURNER: Thank you. We are out of time.

AGENDA ITEM IX: UNFINISHED BUSINESS

TURNER: Our next agenda item is Unfinished Business. We have one matter which we would like to bring before the Council. As you came in you should have picked up a copy of a memo from Beverly Ross to Dean Plater and Kathy Warfel. In the memo, Beverly, who is the chair of the Academic Affairs Committee, expresses concern about the action taken last month at the Council meeting when we discussed the Council on Undergraduate Learning and then went ahead and took a vote that approved of it. The Academic Affairs Committee felt that its concerns had not been adequately taken into consideration. What we would like to do is to bring this before the Council and ask if the Council wants to go back and reconsider the work that we did last month in regards to the Council on Undergraduate Learning or were the concerns that the Academic Affairs Committee has raised known to you at that time? At this point that is on the table and my question would be, "Does the Council want to take up the matter of the Council on Undergraduate Learning again?" Is Beverly Ross here? [yes] Are you going to speak for the committee?

ROSS: I could certainly express their concern. The major issue was that, from their perspective, faculty have the responsibility for curricular decisions and it is within their purview and therefore they felt, as a committee, that faculty representation on the CUL should be predominant.

TURNER: Is there some sentiment that we should go back to that?

MCDONALD: I feel that we have discussed it in several meetings and we hear that concern, but if one wanted to sit in on the meetings of the Council, it is obvious that the majority want to move ahead and that we might wait and see whether we don't make progress and whether faculty objects after a trial period.

SPECHLER: This memo doesn't reflect an understanding of the discussion and decisions taken here. I agree very much with the decision of Professor Ross, but I thought that we had insisted successfully on a number of concessions. The first one is that in substance, all decisions on curriculums will be passed by this body and the only remaining task was CUL which was coordinating decisions made by schools. So, I felt that we had done pretty well in safeguarding faculty responsibilities. Secondly, in the discussion the majority believed that CUL should not be a representative body, but a kind of coordinating body where one representative from each school is sufficient to bring information to the table for negotiations. Since that body is not making the final decisions, it is not necessary to have the three votes for large schools; one vote for smaller schools; etc. as explained very well by Ed Robbins. That was unnecessary given the function of the CUL. I don't think any reconsideration is necessary.

BALDWIN (for Barbara Fischler): I have a procedural comment. It is my understanding that the Academic Affairs Committee discussed this, but their recommendations weren't brought up before the issue was voted

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on.

WARFEL: I think I can address that. At the CUL meeting on the 25th Beverly said that she had sent the recommendations of the Academic Affairs Committee to me. It is true that I had not brought them forward to this Council. They were not sent to me by way of a separate memo or an announcement, but just as part of the October 14th minutes. I think it might be useful at this time for clarification to point out what those minutes say. In their discussion and at this time it wasn't even referred necessarily as the Council on Undergraduate Learning, but as creating a forum for curricular planning and review. They had three motions regarding this.

The first motion was "The Academic Affairs Committee supports the concept of creating a forum to serve as a overview committee for Undergraduate Curricular Planning and Review on the IUPUI campus. That motion passed 9-1.

The second motion was "The Academic Affairs Committee recommends the composition of the Undergraduate Curricular Planning and Review Committee via faculty members representing all schools on the IUPUI, campus including Columbus, with undergraduate programs. That motion passed 9-1.

The third motion was "The Academic Affairs Committee should play a part in defining the role of responsibility and authority of the Undergraduate Curricular Planning and Review Committee.

Those were the three concerns that were documented in their minutes of October 14. I am sorry to say that I do not read all of the minutes that are sent to me and therefore did not bring them to the attention of this body. You can assess whether or not we have incorporated their motions in spite of me.

KOLESKI: I read the memo and I was very impressed by their concerns, but I guess I felt the sense of lack of closure. That lack of closure really centers around the fact that if they could propose an alternative model, it would help a great deal. Then we could look at this in relation to other kinds of things. Otherwise, it is a statement of unhappiness without an expression of an alternative. So, I guess I would consider asking that we return this to the Academic Affairs Committee and, if they would like to propose a model, then let them do so.

ROSS: The discussion in the Academic Affairs Committee focused on the four options. In doing some quick calculating, they perceive that options 1 and 2 did not have a major faculty representation. Therefore, they were supporting options 3 or 4.

AGENDA ITEM X: NEW BUSINESS

TURNER: Moving on to our next agenda item which is New Business. There are two matters which I would like to include in this meeting. The first is an announcement of the Campus Campaign and the second one is an explanation about the document which was mailed to you about the Dimension of University Teaching Practice. First, I would like to recognize Gayle Cox who has asked to speak to us briefly on the Campus Campaign.

COX: In the spirit of considering matters of the heart, the Campus Campaign will have its kickoff on February 14 which allows each and everyone of us to support those programs and projects that are near and dear to our hearts. We will be continuing with some of the initiatives that were started last year -- supporting such things as faculty and staff development, scholarships, the new library, and the student center. In addition to those initiatives, new initiatives this year include projects which hopefully will assist us in the attraction and retention of minority students and also monies being funneled to our intercollegiate programs. The committee's hope is that each and everyone of you will carry back to your units the message of encouragement of support of the Campus Campaign and that you will support your volunteers in this effort. Thank you.

TURNER: The next item of new business is the Dimensions of University Teaching Practice.

WARFEL: One of the documents which was mailed to you is a little confusing because it is entitled Appendix and there is nothing for them to be appended to, but, there was at one time. The FACET group, being of course, interested in excellence in teaching and promotion of excellence in teaching and understanding what is involved in University teaching, put together a document and this was an appendix to that document. As you can see, what this does is highlight for those who may not have thought about it at any great length just what all is involved in doing a good job of university teaching. This document was then presented to the Joint Committee on Scholarship, Teaching, and Learning who reacted favorably to it and has gone to Educational Policies Committee and the Faculty Affairs Committee. The request is going to be that this document be put into our Academic Handbook by way of saying in black and white print the many dimensions of University practice. We have opportunity to review its contents and suggest aspects of teaching practice that have been left out of this fairly exhausting list.

SPECHLER: This, too, has come to the Faculty Affairs Committee's attention, Kathleen. The committee met on the subject. Our recommendation will be to accept this list which does not intend to be exhausted, but it is certainly indicative of what an excellent teacher might be. We are recommending against inclusion in the Academic Handbook. The Academic Handbook is a reference work which hardly anyone reads from beginning to end. Instead, we are recommending that this list be distributed to all new faculty at Indiana University to give them some idea of an excellent teacher within the institution. We think that would be more effective at this early stage and more likely to be read than it would be if it were inserted in the Academic Handbook. If you don't think so, think back to the last time you perused the Academic Handbook except under conditions of extreme insomnia.

CAMBRIDGE: I would like to add to Kathy's earlier list another important date of an upcoming event. On March 3, 1995, the Edward C. Moore Symposium on Teaching will focus on many of the issues we have discussed today. The theme of the day is Fulfilling the Mission of the University: the Life Cycle of Faculty Members. The event, co-sponsored by FACET and by the Strategic Directions Task Force on Accountability and Assessment, will look at placing responsibility for fulfilling roles of teaching, service and research within a unit rather than by individual faculty members and at differing workloads among faculty members depending on their contribution and development at different stages of institutional need and personal professional development. Also on the program will be ways to describe and to document various aspects of faculty work.

Resource people as presenters and discussion leaders will be Eugene Rice, Director of the American Association for Higher Education Forum on Faculty Roles and Rewards, and Patricia Hutchings, Director of the Teaching Initiative for AAHE.

The offices of President Brand and Vice President for Academic Affairs Ken Gros Louis will sponsor lunch, so registrations will be needed. Watch in the mail soon for further description of the day and for registration material. Because issues like the Wisconsin system and the Capacity Model for looking at inputs will be discussed, I hope that many IUPUI faculty will participate on March 3.

TURNER: Thank you.

AGENDA ITEM IX: ADJOURNMENT

TURNER: The meeting is adjourned.

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
FACULTY COUNCIL MEETING
March 2, 1995
LAW SCHOOL, ROOM 116
3:30 - 5:15 P.M.

PRESENT: Administration Chancellor Gerald Bepko, Dean William Plater. Deans: John Barlow, P Nicholas Kellum, Norman Lefstein, Alfred Potvin. Elected Faculty: Roko Aliprantis, Margaret Applegate, Merrill Benson, Henry Besch, Timothy Brothers, David Burr, Timothy Byers, Lucinda Carr, Michael Dalsing, Elizabeth Evenbeck, Karen Gable, Carlos Goldberg, Stuart Hart, Dolores Hoyt, Juanita Keck, Robert Keck, Raymond Koleski, Stephen Leapman, James McAteer, Dana McDonald, Lynda Means, Richard Meiss, Bart Ng, Byron Olson, William Orme, Richard Peterson, Rebecca Porter, Ken Rennels, Norris Richmond, Margaret Richwine, Edward Robbins, Carl Rothe, Richard Schreiner, Jane Schultz, Charles Slemenda, David Suzuki, Karen Teegarden, Jeffery Vessely, Kathleen Warfel, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Richard Wyma, Charles Yokomoto. Ex Officio: Janet Feldmann, S. Edwin Fineberg, Edgar Fleenor, Paul Galanti, Carlyn Johnson, Robert Lehnen, Martin Spechler. Visitors: Trudy Banta, Sara Blackburn, Erwin Boschmann, Sue Brady, Mark Grove, Jacquelynn O'Palka, Karyl Rickard.

ALTERNATES PRESENT: Deans: Stephen J. Jay, M.D., for Walter Daly, David Lewis for Barbara Fischler, Robert Nevin for Roberta Greene, Shirley Ross for Angela McBride. Elected Faculty: Eleanor Donnelly for Patricia Blake, Carlyn Johnson for Debra Mesch, Beverly J. Ross for Lee Schwecke. Ex Officio: Melinda Phillabaum for Virgie Montgomery.

ABSENT: Administration: J. Herman Blake. Deans: A James Barnes, Trevor Brown, H. William Gilmore, Kathy Krendl, John Rau, Robert Shay, David Stocum, Donald Warren, Charles Webb. Elected Faculty: Biagio Azzarelli, Darrell Bailey, Diane Billings, Zacharie Brahm, David Canal, Michael Cohen, Gayle Cox, Jeanette Dickerson-Putman, Paul Dubin, Howard Edenberg, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Linda Goodine, Henry Karlson, M Jan Keffer, Missy Kubitschek, Stephen Lalka, Eric Long, Bernard Morrel, Nasser Paydar, Michael Penna, Michael Sadove, Brian Sanders, Akhouri Sinha, Jeffrey Springston, Jerrold Stern, James Wallihan, Susan Zunt.

AGENDA ITEM I: CALL TO ORDER

TURNER: I would like to call this meeting to order. One thing I would like to remind you of is that when we have discussion, if you please identify yourselves when you speak so that we can identify you correctly in the minutes.

AGENDA ITEM II: MEMORIAL RESOLUTION

TURNER: The next order of business is a memorial resolution for Leon K. Knoebel, Professor of Physiology and Biophysics from the School of Medicine. I would like for you to stand for a moment of silence.

AGENDA ITEM III: ADMINISTRATIVE REPORT - CHANCELLOR GERALD L. BEPKO

BEPKO: In the interest of observing the full agenda to have as much time as possible for discussion on other items, I want to just say a couple of things. I will make abbreviated remarks. First, we are in the midst of budget planning for the 1995-96 academic year. We have had full Saturdays of budget presentations. We have one more coming up which will be one-half this Saturday. All of the service units have been able to make their budget presentations for almost all the schools. There are just a few left for this coming Saturday. We have had some preliminary debriefings with some of the people who participated in the budget discussions. We have not yet met with the Budgetary Affairs Committee of the Faculty Council. We will be meeting with them very soon after the last budget presentations are made this Saturday.

Of the issues that are diverse so far, if I could summarize them. There is some growing concern over the costs of overhead. There are simultaneous contrary interests in the marketing work that is done by the University recognizing that we have to do a better job of communicating our message to the public displaying the extraordinary quality that we have in our programs and encouraging more undergraduate students to participate in IUPUI. This includes the provision of services because part of our convincing the public that we are the outstanding institution that we believe we are, is to provide the very best service, the very best intake for students and to have them able to participate without dealing with delay or with bureaucratic indifference.

When we finally get to make budgets this year we hope that the resources will be better than they have been for the last couple of years, although I would say that there was some disappointing news in the General Assembly. The House Budget has now been prepared and is not as good as we had hoped it would be. Basically, it is the Governor's budget with some things taken out of it. Fortunately, what was taken out does not have to do with higher education, but it is basically the Governor's budget which means that our base of resources would increase by about 4 percent. We were hoping for Quality Improvement funding above and beyond that so that the total increase base budget would be more in the neighborhood of 6.5 percent, but so far those hopes have not been realized.

On the capital side there was a little good news. The House Budget now does contain capital projects, not many but a few, and among those few is the Herron / Law School project which has been included. The negative side of that is that it has been phased but we hope that it is approved in full this time. Even it is phased it is clear that the legislative attempt is to encompass the entire project so that the entire project would be approved at the time that the first phase was funded.

There are these eight task forces at work and you will receive something in writing on this, but there will be public forums of these eight task forces being held during the month of April here. A couple of them will be from noon until 2:00; a couple of them will be from 4-6 p.m. Counterpart hearings are going to be held in Bloomington and there will be some modified schedule of hearings with more doubling up of the task forces so that multiple task forces will make their presentations on the smaller campuses all in one forum. You should be receiving some written material on that. There will be mention in the IU newspapers and we hope that possibly in the April or May meeting of the Faculty Council we will be able to spend a little time summarizing the things that are going on in those task forces so that you will be prepared for the reports when they come out in the summer.

A couple of notes about things that are significantly administrative, but may be of interest. First, you may yet read in the newspaper about some major problems that we have discovered in the Natatorium. The Natatorium's water filtration system is in need of substantial repairs. It is very expensive. It becomes a matter of some urgency because in 1996 we are the hosts for the Olympic Trials in swimming, diving, and synchronized swimming. It would not be good if the filtration system broke on the eve of one of those events. We are going to be trying to raise the money for that without placing a financial burden on any of the academic programs.

Finally, we will be talking to you very shortly about some issues that have to do with the Indiana University hospitals. As you probably know, there has been a lot of discussion over the last couple of years about how the hospitals would be positioned for the future in the ever turbulent and ever changing Healthcare world. The issues are becoming more right for decisions. In the not too distant future you will be hearing more about that.

AGENDA ITEM IV: PRESIDENT OF THE FACULTY REPORT: KATHLEEN WARFEL

WARFEL: I won't take too much time. I do want to remind you of things that you already know and tell you about a few things that have happened. As you will recall, tomorrow is the Edward C. Moore Symposium. I think you have all received a lot of information about that. I encourage all of you to participate as much as possible.

Dean Plater is going to talk some more about faculty work. There will be lots of time after that for you to respond to his ideas.

Next Wednesday the Task Force on the Status of Women Faculty is having its open forum from 3-5 at the Indiana Room of the Hotel.

I would like to tell you about a couple of things related to the Board of Trustees' meeting last week. You will recall that we were asked to respond to a proposed resolution. That resolution had to do with using the Wisconsin system for faculty work and it had to do with using the Teaching Capacity model throughout the university. Those are the main points of the resolution. The UFC talked about these a lot and ended up saying 1) it is fine to use the Wisconsin system, and, 2) we, as the faculty, will agree that using the Teaching Capacity model is a good idea if we can have a working group composed of elected faculty representatives from each campus, administrators,

and Trustees. This group is to be created in order to assure thorough, fair, and credible application of the capacity model as it is implemented on a campus wide basis. The idea was that, yes we will go ahead and try using this capacity model for our teaching, but we would like an oversight group to see how it goes to suggest modifications to it. That was agreeable to the Trustees so there will be a working group formed and we, as IUPUI, will be sending an elected representative who we need to name in the near future. There are no rules about how we can, should, or must elect the person we send to this working group. So, I would like to suggest that anyone who would like to serve in this role or who would like to suggest someone else that would be particularly appropriate to serve in this role, send names to the Executive Committee and then the Executive Committee can figure out how to perhaps a mail Faculty Council election of our representative. You will hearing more about that.

The other thing about the Trustees' session, there had been some negotiations going on and finally the Trustees have come to agree that the University Faculty Council will designate a faculty representative to participate in the Executive Sessions of the Board of Trustees' meeting under certain circumstances. The UFC representative would be called to the Executive Session when the Board of Trustees identifies subjects on which they wish to receive direct faculty input or when the President of the University requests that the Trustees receive input from that faculty person or when the University Faculty Council and its Agenda Committee or the Co-secretaries identify issues that the faculty would like to talk to the Board about in Executive Sessions. This is a new arrangement and I guess we will be seeing in the near future what difference it makes.

Finally, I have been asked to announce, on behalf of the students, that the IUPUI Student Activities programming board wants the faculty to feel very invited to be part of the tradition by attending the 7th Annual Spring Celebration Dance. It is a dinner/dance and will be held on Friday, March 31 beginning at 7:30. Tickets and more information are available at the Student Activities Office.

AGENDA ITEM V: CLINICAL RANKS DOCUMENT - DISCUSSION - POSSIBLE ACTION
CLINICAL RANKS MEMO (IUPUI CIRCULAR 95-05)

TURNER: I would like to move to the next item on the agenda which is the discussion of the Clinical Ranks memo.

WARFEL: For this discussion you will need IUPUI Circular 95-05. This is the language that has been circulated for discussion and possible vote at our meeting today. Is there any discussion regarding the actual recommendation #1?

GALANTI: I notice that the proposal has been in the works for a long time. The original request came out of the Law School with our clinical programs. I know a lot of people long and hard on this, including the Executive Committee, as well as other people. We in the Law School have thought about over the last couple of days is the language dealing with the grounds on which clinical professors are promoted. The proposal, as submitted to the Faculty Council, IUPUI Circular 95-05 in the fifth line of the inserts which is the underlined material contains the language "Continued appointment and advancement in rank must be based on performance in teaching and service." We in the Law School feel that this language could be made more flexible to allow particular schools to adjust the criteria to suit their own academic pedagogical system. I would like to move that on the fifth line, dealing with appointment and advancement, that the word "normally" be inserted between the words 'rank' and and 'must.' So the proposal is to amend that sentence to read as follows:

Continued appointment and advancement in rank normally must be based on performance in teaching and service.

We feel this would give the schools more flexibility to deal with the way they structure their own clinical programs.

WARFEL: Is there a second to that motion? **Unknown:** I second that.

PETERSON: I have a comment about that. I think we probably have a bit of a dramatical problem when we say "normally must." One is an absolute and one is equivocal and I think we need to adjust the "must" if we are going to put the "normally" in there.

LEFSTEIN: Do you like the word "should?"

PETERSON: "Normally should" would be more dramatically correct, but I am not the grammarian in the group here.

GALANTI: The mover may retract what he said, not all of it, *[laughter]* but make the proposal that the words "normally should" be substituted for the word "must" in line five of the proposal so it reads

~~Continued appointment and advancement in rank normally should be based on performance in teaching and service.~~

WARFEL: Is that alright with the seconder? **Unknown:** Yes.

FINEBERG: I would like the mover to clarify this because I don't see that inherently there is anything wrong with the way it is stated and the way the recommendation is now written. It just doesn't require a particular balance of teaching and service. It doesn't say that it must be 25 percent and 75 percent or visa versa. So, I am not sure that as long as there is a teaching component and a service component that clearly is sufficient. I am not sure what the concern is.

GALANTI: Part of the concern is whether the research component involved is credible. The proposal indicates that clinical faculty may be involved in research which derives from their primary assignments in clinical teaching and professional service. This language gives a little more flexibility to the schools if they so desire to look into the whatever research component they deem significant for their particular programs. This is not something that would apply across the board. It would just depend on the programs of the particular school.

WARFEL: This, of course, is a bit problematic because one of the things we were trying to do in working on this language was to clarify what the clinical rank was invented for. It was invented for full-time clinical situations, professional service, clinical teaching. We supposedly had to have this rank invented because we couldn't expect these people to do any research. We couldn't expect them to do enough research to be adequate and achieve tenure. Therefore, we had to invent the clinical rank. So, letting research sneak back into this document, maybe a problem.

LEFSTEIN: We haven't written the word "research" in per se, but in the Law School with people who hold positions which are in their nature 'clinical' by virtue of what they do, we would require some work on their part which would be research in nature, though it would not be at the same character that they would be expected to perform if they were in a tenure-track position. The language that is suggested would give some flexibility certainly to the School of Law without explicitly talking about the research component with which you expressed some concern.

YOKOMOTO: What if we were to insert 'normally shall' instead? Would this new wording, if taken at face value, 'normally shall' be allowed?

GALANTI: I really don't think it would. I think that we are talking about well established criteria for promotion at Indiana University and the three criteria are there and I don't think this would open the door to allowing totally extraneous and irrelevant matters to be considered in the appointment and advancement decisions made by the particular school for its particular clinical faculty.

ROBBINS: Would it not be possible, though under this modification, to develop expectations that would parallel or match those that are now in place for tenured faculty and therefore could become a mechanism for employing individuals for whom we expect the same thing as tenured faculty, but be able to employ them under a clinical rank?

GALANTI: Again, I will respond to that by saying that I don't think this is a question of "back dooring" standards for clinical faculty that, in effect, would be more difficult to achieve than tenure track faculty have to be because it sounds like they have to be superb teachers, superb in service, I am using that term very loosely and also are

expected to do the research that regular tenure-track faculty do. I don't think this is going to be something which is going to open up, an example that I use all the time, a can of worms by giving the schools, as they see fit, a little more flexibility on the continuation in advancement and appointment decisions.

FINEBERG: I am not a lawyer but I think if you insert the word 'normally, it basically opened up the back door, if you will, and it is an excuse for schools to take someone who is doing every bit of the work of tenure-track faculty and putting them into a different rank where they have less security. I think if you have a clinical track, the understanding is that you do teaching and service and that, in fact, if you have someone who is doing all three of those, then they in fact be considered for tenure track. I think that by putting the word 'normally' in really destroys the intent of this recommendation.

GALANTI: If schools are in fact doing that, should they not be looking to themselves if this is a problem where people are saying, "Well, we are going to create a totally new category which will not designate, but in fact will be second-class, tenure track citizens." If this is a problem, I think that is internal to the school and the school is making decisions on the number of tenure-track people who will be permitted and resolve this issue, if it is an issue. I don't see this happening at the Law School, I could understand where it would seem to be happening elsewhere, but I don't think we are opening up that kind of situation.

APLEGATE: It just occurred to me that if we place the 'normally shall' in there, you have a greater risk of creating second-class citizens because you might be tempted then to shift people into this category who don't quite make the tenure track line, whereas in fact it is designed to meet the practice goal and to do it with recognition and respect. So, I think you increase the risk of second-class citizenship by changing the statement.

BYERS: It is stated that clinical faculty "may be involved in research which derives from their primary assignments." If they are involved in research as part of their duties, under the direction of a supervisor, couldn't that be considered as service for the purposes of performance evaluation? If so, then the language of the document is probably adequate as written.

WARFEL: Do you want to respond to that, Paul or Norm?

LEFSTEIN: The problem that we are dealing with here is that we are trying to draft language that the School of Medicine can readily embrace and at the same time the School of Law can embrace; but we have somewhat different expectations of persons who are in the clinical position because we expect them to do some publication, some preparation of written material, be it of a different kind than would be expected of persons on the tenure-track. If it was absolutely clear as part of the legislative history of this document that teaching and service could encompass the preparation of not only teaching materials, but other kinds of written work but of a character that would be different than the traditional piece of scholarship that you might regard in the School of Medicine as sufficient for tenure or we would regard as sufficient for tenure in the Law School, then I don't have any problem with the document. But, I was concerned when I read the document that the reference solely to teaching and service was not broad enough to include some preparation of materials that might be published but again not of a kind required of tenure-track faculty. But, if you tell me that this language is broad enough to include this sort of thing that I am talking about, then I don't have a problem with it.

MEANS: I wonder if the sentence preceding the sentence that we were discussing covers that. It says "Clinical faculty may be involved in research which derives from their primary assignments in clinical teaching and professional service." It seems to me that addresses the issue which you are raising because there are many clinical track faculty who do participate in clinical studies. That sentence would be inclusive of what our clinical ranks do.

LEFSTEIN: The problem is that it would permit the faculty member to do it, but by virtue of the next sentence it would seem that a school couldn't require anything other than teaching and service. One might argue that there is no requirement and cannot be any kind of requirement to prepare anything in the nature of written materials and that is the concern that I have. Indeed, from the Law School's standpoint, it would have made better sense and would have been more appropriate for us if it included language that said "research can be required by a school

that derives from their assignments in clinical teaching and professional service.

PLATER: If the intent is to allow some differentiation among schools, as you suggest Norm, as an alternative to the language that you proposed, what about adding a phrase on the next page on line 12 which reads:

Long-term contracts for clinical faculty may be renewed for successive periods of not less than five years. Each school will establish procedures and I would suggest adding *and specific criteria for the review and renewal of long-term contracts.*

That would then allow some differentiation within schools that are going to establish the procedures by which they will renew the contract and that would be the document under which you could talk about the way in which service and research are combined in the clinical appointments.

LEFSTEIN: I think that would be alright, but I would like to hear it again.

PLATER: It would be simply adding the words "and specific criteria" after the word 'procedures.' It would then read:

Each school will establish procedures and specific criteria for the review and renewal of long-term contracts.

LEFSTEIN: So, that would include both the renewal and the initial requirements for the first appointment?

PLATER: You would want those criteria to be known before the initial appointment. They would have to know what they are expected to do to qualify.

LEFSTEIN: That would be very helpful.

SPECHLER: I like that is a three-word suggestion. Here is a two-word suggestion. There is a contradiction between the description of the position and the description of the conditions for advancement and appointment. So, in place of 'teaching and service' I would suggest substituting the two words "these duties," so, that it is perfectly consistent -- "Appointment and Advancement" -- for that sentence to be perfectly consistent with the two sentences which go before which describe the duties, but would allow for research. So, the sentence would read:

Continued appointment and advancement in rank must be based on performance in *these duties.*

PORTER: I don't have any problems with the idea of adding the language 'and specific criteria' after procedures, but I do have problems with the suggestion that we want to introduce a little room in this document to again, in different schools, establishing some kind of research expectations. I think the group that worked on this worked very hard to clearly contain the description of the expectation of these individuals as a means of protecting the individuals in clinical rank--that we were hiring them to do professional service, that we were hiring them as a part of that professional service to participate in clinical teaching. While there is language that says, as a component of that, you may be participating in research, the intent is to judge these individuals for continuing employment based on their professional service in clinical teaching. We don't want to get into asking them to do some kind of research or some kind of level of publication, which is what you would do if you were tenure-track. That becomes very difficult. It is part of the problems that we have with some individuals in the clinical rank currently. From that historical perspective, it is important that it be very clear that the expectation is professional service and clinical teaching since in a subsequent recommendation we are asking the Faculty Affairs Committee to look at what the schools are doing. The Faculty Affairs Committee is going to have to understand the intent in order to do any kind of evaluation on whether or not a school's regulations are in the spirit of the policy.

LEAPMAN: I support what Professor Porter just said. I think that the sentence before that says "Clinical faculty may be involved in research which derives from their primary assignments..." was put in there because we

surveyed all clinical faculty members in the School of Medicine and found there were a large number of faculty who were involved in clinical research projects. It was felt by the task force, when this wording was drafted, that there should be some mechanism, or should be some wording, within the document to allow people in clinical positions time to do research if they so desire. But, there was never an intent to say that there should be a mandate to do research for people who were on clinical ranks.

WARFEL: The motion before us is on the first page, to change the sentence "Continued appointment and advancement in rank must be based on performance and teaching and service" to read "Continued appointment and advancement in rank normally should be based on performance in teaching and service." Is the Council ready to vote on that motion?

LEFSTEIN: Let me add one more comment because I think we have identified the nub of the problem. I don't have any interest at all in a document that isn't fully consistent with what the School of Medicine's needs are, at the same time, I would like to see a document that complies with what is needed in the Law School. The differences are quite clear to me as I hear your description of expectations of clinical faculty of Medicine. In American legal education there is an expectation that faculty members who are in clinical positions will engage in some kind of research and some kind of publication. This is not unique to this Law School or our expectations of clinical faculty, but it is throughout all of American legal education. That is the reason for making the suggestion that we make. If that is not successful, maybe I will think of another possible amendment, hopefully without doing damage to the concerns that the medical faculty have.

EDENBERG: May I comment from my naive point of view. It seems to me that if the normal requirements for teaching in legal education include writing, then we would judge people on teaching in legal education, and that is automatically included. So, I don't see that you have a particular problem. If those constraints are not normally put into medicine ranks, then I would suggest those people not be judged on publication. I am not sure that the term 'judging them' on their teaching, given the facts that recognized component of legal education, prevents you from holding them to the standards of legal education in their teaching.

KUBITSCHKEK: Earlier some of the people spoke to our not wanting to create a "second-class" group of citizens. I think we ought to simply admit that of course that is what we are doing if we approve this. We are taking what may have been third- and fourth-class citizens, but we are certainly creating a second-class and institutionalizing it. I am particularly concerned about doing this because of the numbers of women in those ranks as compared to the numbers of women in the tenured and tenure-track ranks. Has the Task Force on Women had anything to say about this proposal?

PORTER: I am a member of the task force and we did discuss this document at our last meeting. The language contained in the document will not solve all the problems that have been identified or have been speculated to exist in the clinical ranks. The task force did believe that this language sets out a structure which defines the position, which in and of itself does not contain a gender bias. It allows individuals to understand the expectations. Issues of whether or not there is a gender bias in who is appointed to one position or another really is a separate issue. The task force felt that there was nothing in this document, as it reads now, that is problematic as to who is appointed to what kind of rank is a different issue that will be looked at subsequently.

WARFEL: I think we should be clear that our action, if we take action today in adopting this language, is not creating clinical ranks. The clinical ranks were created in the 1980's. The language which was written at that time doesn't make it absolutely clear what that ranks is for. While it is true that 15 percent of the tenured, tenure-track faculty in the School of Medicine is female, whereas 35 percent of the clinical rank faculty is female, there is a difference there. I think what we are trying to do today is adopt clear understanding of what the clinical rank is. If we go on and adopt Recommendation #2 and Recommendation #3, there will be a mechanism to watch how the schools are using these ranks. There is possibly no one here more interested in equity than I am, but I don't think that is what we are talking about right now. We will in fact talk about it later.

ORME: This moves us a little away from promotion issues, but mentioning Recommendation #2, it starts out "That schools using the clinical ranks..." I am not clear from this document how a school initiates the use of clinical

ranks, although obviously this decision was arrived at somehow in the School of Law. There is a provision that the number of clinical rank within a school is up to the faculty to vote on. Is it possible for a faculty to vote zero? I don't see a process here outlining how a school determines whether or not clinical ranks are appropriate.

J. KECK: Call for the question on the motion that is on the floor.

WARFEL: The question has been called. All of those in favor of voting, say "Aye."

NG: What is the motion?

WARFEL: The question has been called for the Council to stop discussion and vote on the motion that is before us which is to change "must" to "normally should." First we have to ask the Council if they are ready for the vote. All of those in favor of the question being called, say "Aye." All of those opposed? [None] The motion before us is to change the word "must" to "normally should." All of those in favor say "Aye." All of those against, say "Nay." I think the 'Nays' were louder, but may I see a show of hands? The motion fails.

WYMA: I have a question about the 15 percent versus 50 percent that is discussed in the document. We never really had an explanation of that change last month. I was wondering if someone from the task force could give us some justification on that.

TURNER: The task force needed to find a basis for exercising some kind of control over the numbers of clinical ranks. One of the concerns had been voiced as 'what if a faculty gets more and more filled with clinical ranks and less and less with tenure-track and tenured faculty' since that will change the character of the University. The task force found in the handbook a basis for doing that in the charge to the University that the faculty will determine the curriculum, etc., and that faculty is defined as tenured and tenure-track faculty. What we said was that, therefore, a faculty that is at least 51 percent tenured or tenure-track faculty is still complying with the handbook definition of faculty, and, therefore, a faculty could increase -- anything less than 50 percent of the clinical ranks faculty and still meet the handbook guidelines. The assumption is that, with this language in place, then the number, the use, the policies regarding clinical ranks will have been determined by the faculty of the given school. That is where the 50 percent came from.

WYMA: My concern is that it seems like there may be a distinction here between full-time clinical faculty and tenured faculty in terms of fringe benefits, etc. I am wondering if there is a financial consideration that is coming into the picture in choosing the 50 percent limit. The second thing is, how does increasing the percentage from 15 percent to the 50 percent limit correspond to what I perceive as the Chancellor's, (i.e., administrator's) wish to increase the number of tenured positions and to decrease the number of part-time and non-tenured faculty?

TURNER: The task force recognized that many school faculties have grown to include as many as 70-75 percent of its faculty in the clinical ranks and it was that trend that created the discussion that led to changing this. The task force voted and agreed that the Medical School needed some relief in this matter and that the 50 percent number seemed to us to be a reasonable way to address that problem.

BESCH: I have heard that explanation a number of times and I agree with it. In principle, you are attempting to make sure that the corporation remains run by those who are full-time, tenured or tenure-track people. So, that means those folks ought to have like 51 percent. Now, if you say that, you will always leave them with 51 percent, but if you say it in a negative way like this, you now can have one-half of the people who are clinical faculty. All you have to do is throw in one scientist-track person and now the "outs" are in control of the corporation. So, I think that in order to achieve the goal that you have specified, and I agree very much with that goal, you ought to say it in a forward way. For example, to say that "shall be determined by vote of the tenured and tenure-track faculty of each school provided that the tenured and tenure-track faculty shall represent at least 50 percent of the total full-time faculty" which is what you are trying to do. However, I would prefer 51 percent.

WARFEL: Do you mean that to be a motion?

BESCH: Yes. I mean that to be a motion.

WARFEL: Can the Parliamentarian make a motion?

BESCH: Sure. I am an elected member of this Council and therefore I have full rights and privileges.

WARFEL: Is there a second to Henry's motion? **UNKNOWN:** I second the motion.

WARFEL: Does everyone understand what the motion is? We are in the same paragraph, down a little bit from where we were before. Henry, will you read the motion, please?

BESCH: "... in each school shall be determined by vote of the tenured and tenure track faculty of each school, provided that ~~the tenured and tenure track faculty~~ shall represent at least 51 percent of the total full-time faculty of each school.

WARFEL: Is there any discussion?

UNKNOWN: The way I read this if you have a faculty of 100, you are allowed 50 clinical appointments. Is that correct?

BESCH: Yes. **UNKNOWN:** How does your language read again?

BESCH: The basis of what I said is really that there are other kinds of appointments that are not being mentioned. In other words, for example, we have in the School of Medicine a substantial number of people who are in the scientist track (assistant scientist, associate scientist, full scientist). There are also in IU the scholars track (assistant scholars, associate scholars, full scholars). Those people who are not being mentioned make up another class.

UNKNOWN: Are they tenured or tenure-track people?

BESCH: No. They are neither tenured or tenure track. I am trying to think of other ways in which other people can come in. Rather than detailing all of those, I think to say it in the forward way that we want at least one percent more than one-half to always be tenured and tenure-track.

UNKNOWN: I am trying to figure out what this base is that you mentioned. Could you repeat your language again because it sounds like it is quite different?

BESCH: Let me follow up to what you said about the 100 people. If you had 100 people, by the way this language is now, you could have 50 or 49 of persons who are in this rank, leaving you with 50 or 51 others. If one-half of those 'others' were scientists, then only 25 percent of the corporation would be tenured and tenure track people. I don't think that is what we intend. My language says that the tenured and tenure track faculty shall always be at least 51 percent regardless of what other categories there may be.

ALIPRANTIS: The Medical School is 51 percent of this body. If you have 51 percent of the full-time people, eventually the 49 percent are going to be doing all the hard work. The 49 percent would take over. I think 51 percent is too high. I recommend that it be no more than 50 percent. I make a motion to say that 50 percent...

WARFEL: We have a motion on the floor.

ALIPRANTIS: I am sorry.

KOLESKI: What is curious to me is that the jump is from one out of every six people, one out of every two people in this particular category and it seems like a substantial jump. Is that based on the predication of any projected study or anything else -- this particular point that says as of this point or five years or ten years from now this is

the way we see or need the situation to evolve?

WARFEL: Keep in mind that this doesn't say that there shall be this 50 or 49 percent level. It just says that if a school looks at their needs, they will be allowed to raise the percentage. The tenured and tenure track people will decide how high to raise that level, but they may not go beyond the point.

KOLESKI: I understand that, but I also understand at the same time that again it is a substantial jump. There may be a very good reason for it.

TURNER: What the task force looked at were some reports about the use of clinical rank faculty across the country and what other medical schools were faced with. Some very reputable medical schools are up to 75 percent because that is what they have to do to get the job done. We used the term 'up to 50 percent.' However, if it turns out that a school needs to do that in order to get their work done as other schools throughout the country have found, then they have that option.

NG: Can the number be taken out of this document. I would be very happy to vote for the 50 percent for the Medical School given there is justification. It seems to me that we are giving blanket approval to whichever school wants to do it. They can just go ahead and do it. Whatever the number is, I would be much happier if it is based on justification for specific needs.

WARFEL: This language may be a compromise between the campus faculty thing. There is a limit to what we think you should do and, on the other side, saying "You are the faculty of the school and you are in the best position to decide within these limits how many of these are appropriate."

J. KECK: Can we get back to the motion at hand? My understanding here is that the only reason you are changing the wording is to match the original intent was that any school with clinical ranks would include the majority of their full-time faculty which would include tenured and tenure track which I would strongly support.

WARFEL: The question has been called. Is the Council ready to vote on the amendment? All of those who are ready to vote say "Aye." All of those who want more discussion say "Nay." The question is being called. The motion is that the sentence shall be changed to read as follows:

... provided that the tenured and tenure track faculty shall represent at least 51 percent of the total full-time faculty of each school...

All of those in favor, say "Aye." All of those opposed, say "Nay." [a few] The motion passes. Is there any more discussion of Recommendation #1?

PORTER: May I have a clarification on page 2 as it is talking about the criteria for a long-term contract? If I come up to the point of being reviewed for a long-term contract, and it is decided that I do not meet the criteria for receiving a long-term contract, what happens if I were up for tenure review, I know the outcome -- I don't get tenured and I am out). If I am a clinical rank and I come up for review at the end of this probationary period and it is determined that I do not meet the criteria for a long-term contract, am I out? Am I then given a one-year contract? What is the outcome?

TURNER: That is a good question. We didn't address this. I am not sure that it was necessary for us to determine that.

WARFEL: I think that the way the language reads is that you are out. After seven years if they are not willing at that point to give you a long-term contract, then you are out because after that period of time you shall get a long-term contract. If you don't like, I guess you have the option of a Faculty Board of Review.

PETERSON: I think we did specifically address this question at the end of the first paragraph on page 2 "Clinical faculty hold long-term contracts, or shorter appointments during the probationary period, shall be subject to the

same policies and procedures with respect to appointment, reappointment, and non-reappointment, and dismissal as apply to tenure-track faculty during the probationary period, including the right to request a hearing before a Faculty Board of Review." The assumption is that these same rights, from my perspective, would continue on in their five-year contract period. Maybe we ought to say that those same rights as on a tenure-track faculty member would apply to these people after they have gotten into that five-year contract period.

PORTER: Is that the right to be terminated at the end of the probationary period?

PETERSON: Yes.

SPECHLER: Our school is not mentioned in this discussion. I would like to add for clarification of what 'clinical' means. Dean Plater, in a very powerful speech before the faculty a couple of weeks ago, talked about new roles for the faculty which might include proctors or assisting students who are engaged in distance learning working on computers in various individualized instruction. I must say I find that vision a very interesting one; one we will have to come to grips with. I think it is also inevitable. Would appointments of proctors who go through this to help students on technologically advanced modes of instruction be eligible for consideration as clinical ranks?

WARFEL: I don't know if we could answer that question this afternoon because the vision, while brilliant, is a little vague at this point. *[laughter]* I think that here is where Recommendations #2 and #3 can be very useful. If a school says "We might to use the clinical ranks for this role and responsibility" and we have the Faculty Affairs Committee saying "Well, I don't think so" or "Yes, that does seem appropriate." I think if we adopt Recommendations #2 and #3 we will be able to sort those things out as we move along.

SPECHLER: But on what basis? On the basis of understanding of what 'clinical' is or on some broader educational basis?

WARFEL: I think on the basis of understanding the history of the rank and what it was intended to do. If we modify it in the future, we modify it in the future. But, I don't think we can decide today whether or not to accept this today based on what someone may try to do.

ORME: This goes back to the question I asked earlier. What is the procedure for instituting clinical ranks within a school? Does that come from a dean? Does it come from the faculty? I don't see in the recommendations how clinical ranks are instituted? Does it come before the Faculty Council as it did this time? I don't see that explicitly stated in here.

TURNER: Before this document, once the clinical ranks were instituted in the handbook, all that anyone had to do was send an appointment paper across the campus. What has to happen now is that a faculty has to vote to institute clinical ranks. In a school where there are no clinical rank faculty already, the tenured and tenure-track faculty make that determination. The school also has to develop a set of procedures and statements of use that they will submit to the Dean of the Faculties Office and the Executive Committee.

BURR: I am concerned that we made a mistake. The intent of this was to allow those schools who had clinical appointments to increase the number of those clinical appointments so they can adequately satisfy their teaching and service needs. If we dilute the number of those clinical appointees as specified in this proposal with assistant scientists and associate scientists, I don't know how many of those we have in the School of Medicine, that would certainly reduce well below 50 percent (maybe below 30 percent) the number of clinical appointees that we could have. Therefore, it would seem, if we included those in that group, that this would really satisfy the needs of the School of Medicine. We may be down to 25 or 30 percent clinical appointments.

SPECHLER: If I am mistaken, Henry will correct me, but according to the Academic Handbook, of Indiana University scientists and scholars are not members of the faculty and therefore not subject to this limitation.

BESCH: That is a good point except that the Board of Trustees indicated, in discussing that particular portion, that they didn't agree with that. So, it is not clear whether it would carry or whether lawyers would come in and

change it.

PLATER: I believe the handbook, at least in its current language, supports Martin's interpretation. The point of confusion is that perhaps many schools have allowed faculty with appointments such as lecturer or scientist to participate in school faculty governance as a matter of their school bylaws. That could come into play as far as a particular school is concerned, but I would agree with Martin's interpretation that scientists and scholars are not defined as part of the faculty according to the current language of the Academic Handbook.

PETERSON: I would suggest that the formation of clinical rank within a school of this unit of the university be the responsibility of this Faculty Council as it has been in the past. For all of those schools who currently have this rank that have been approved at this level, and for the School of Liberal Arts, to form this all by itself without coming here with a proposal of what that clinical rank means, I think would be contrary to our intent as a body. The School of Law came with that proposal and as a result we have all of this discussion because they did not have a clinical rank and they requested that clinical rank. If the School of Liberal Arts or the School of Science want to have a clinical rank, they need to come to this body first before they can vote on the level of that clinical rank within their school.

LEFSTEIN: Of course I thought the purpose of this was to establish a policy that would avoid the necessity of necessarily coming back here. I really wanted to speak to what I regard as a very eminently reasonable suggestion that Bill Plater made some half hour ago or so. He suggested that on page 2, line 12, after the word 'procedures' adding the phrase and specific criteria for the review and renewal of long-term contracts. It does seem to me that it would be appropriate for the schools to develop criteria and believing that it is both reasonable innocuous, but at the same time helpful, I move that amendment.

UNKNOWN: I second that.

WARFEL: It has been moved and seconded that the sentence shall read:

Each school will establish procedures and specific criteria for the review and renewal of long-term contracts.

Is there any discussion?

APPLEGATE: Is there a motion on the floor or did we vote on it?

BESCH: There was discussion after the motion passed and there shouldn't have been. But, I don't think there has been a motion.

WARFEL: We voted on Henry's motion and it passed. Is there discussion of the third motion? Hearing no discussion, I will ask for the vote. All of those in favor say "Aye." All of those opposed say "Nay." [none] The motion passes. Is there additional discussion of Recommendation #1?

UNKNOWN: Call the question.

WARFEL: Is the Council ready to vote on Recommendation #1's adoption? All of those who are ready say "Yes." All of those who want more discussion say "No." All of those in favor of adopting Recommendation #1 as amended this afternoon, say "Aye." All of those opposed say "No." [none] Recommendation #1 is adopted.

Is there any discussion on Recommendation #2? All of those in favor of Recommendation #2, say "Aye." All of those opposed say "No." [none] Recommendation #2 is adopted.

Is there any discussion on Recommendation #3?

KUBITSCHEK: I would like to see added to Recommendation #3, at the end,

as well as the proportions of women and minorities in the clinical ranks as compared to the tenured and tenure track ranks

WARFEL: Is there a second? [seconded] Is there any discussion of this? When you say "added at the end" it would then read:

That the IUPUI Faculty Council's Faculty Affairs Committee and the Dean of the Faculties will review each year the number and use of clinical rank faculty in schools on the IUPUI campus, as well as the proportions of women and minorities in the clinical ranks as compared to the tenured and tenure track ranks.

Is there any discussion?

ORME: [At this point Librarian Orme asked a question which could not be understood on the tape recorder]

WARFEL: I presume that would be forthcoming and actions could be initiated if the faculty didn't like what they saw.

SPECHLER: Here we have overall, a procedure whereby the faculty of a particular school vote once to allow a certain number, up to let's say 50 percent. These are the people who actually know what is going on. Then we have the Faculty Affairs Committee, which knows much less and is asked to do much more on much less information. They are to review it every year and vote every year. This is just backwards. What we should have is the faculty of each school reviewing it on a continuous basis as they feel appropriate and advising the Faculty Affairs Committee which may want to review it, say every five years in light of the information that our colleagues who know what they are doing will provide them. This is asking much too much from the Faculty Affairs Committee, based on what little they will know. So, I would like to suggest in place of Recommendation #3 the insertion that the faculty of each school and the Dean of the Faculties review every year and the IUPUI Faculty Council review this every five years on the advice of the faculties of their school.

WARFEL: We already have a motion on the floor which we should focus the discussion on and then get back to your point, if you still want to make it. The motion before us has to do with adding language about proportions of women and minorities.

UNKNOWN: Would you please repeat the motion?

WARFEL: Added to the end of the sentence in Recommendation #3 so that it would read

... will review each year the number and use of clinical rank faculty in schools on the IUPUI campus, as well as the proportions of women and minorities in the clinical ranks as compared to the tenured and tenure track ranks.

R. KECK: The number of men, for example, in Nursing, be under that umbrella?

WARFEL: Only by doing the reverse of the proportion of women. I suppose one could come up with the proportion of men.

PORTER: Do we mean gender distribution?

WARFEL: Missy, would you like to speak to that?

KUBITSCHEK: Yes, I do mean gender distribution, but I also want minorities as well. If we simply change it to gender distribution, we need language that enables us to determine minority distribution as well.

SPECHLER: I would like to speak against this amendment. I think any well meaning committee would consider these matters, but putting it in this form and legislation seems to me unnecessary. The reason is that the meaning of minorities is not yet defined. Is it a question of all minorities together? If so, the large number of Asian Americans will certainly have weight here. Is it every minority specified by the U.S. Congress? In which case some minorities here in Indianapolis are practically unavailable. Although the intent is appropriate, I think its application to Nursing and various other schools makes it inadvisable.

KUBITSCHEK: But, there is no quota suggested here. I don't think that the gathering of figures as publication of the truth of those figures is restrictive in any way.

BEPKO: I think it might be good idea to consider, as a part of this process, something that Missy just mentioned -- review and publish. The review itself, I am not I understand, but I think it is intended to lead to some kind of publication or report to the Faculty Council as a whole. It may be a good idea to consider putting that in.

WARFEL: We will consider that as an additional motion.

BURR: That may have answered my question. My question was I was wondering if someone could explain what the objective of this review is to be. Is it for compliance or is it for affirmative action? What is the point of going through the process?

TURNER: The Faculty Council has expressed an interest in how the ranks are established, how they are used, and how they are to function on this campus. The Faculty Affairs Committee's review is simply meant to look into whether or not the Faculty Council's interests in this matter are being followed. Consistency, I suppose, is a part of it. The Council's sense of what faculty means and how it is supposed to operate on the campus would be part of it. It is simply a follow-up mechanism to the discussions that have instituted the clinical ranks in the first place, and this change which is recommended by the task force and that is just simply a follow-up to make sure that those things are done.

BURR: It seems as though we could do that anytime that we find ourselves interested and wouldn't have to do that every year.

TURNER: That is true. If the Faculty Affairs Committee finds that there is not much to review, it seems to me that they can not do very much. There is no requirement that they do something except to consider that.

WARFEL: We need to stick to discussing whether or not we want to add the 'women and minorities' phrase to this.

ROTHE: Because of the vagueness of the wording here, I would like to move to table it.

WARFEL: You want to table Missy's motion?

ROTHE: I want to table Recommendation #3.

WARFEL: We have a motion on the floor. Can we table with a motion on the floor?

BESCH: No.

FINEBERG: Perhaps we could ask the mover to modify to ask that we collect information on demographics which would include those items which we described. I think that without specific guidelines all we are basically doing is asking them to collect data. We haven't established any guidelines for particular schools and I don't think we can.

KUBITSCHEK: Demographics for tenure-track and clinical ranks?

FINEBERG: The motion is "review each year the number and usage of Clinical Rank faculty." We already know about tenured and tenure-track faculty. So, basically, we want to describe who the people are who are in clinical ranks as to age, sex, race and any other important demographic data.

KUBITSCHKEK: I am certainly willing to accept demographic data, but I think it is important not to lose the comparison between the demographics of the clinical rank and the demographics of the tenured and tenure-track rank. So, I am perfectly willing to accept demographic data rather than the proportion of women and minorities, but not to give up the comparison.

WARFEL: Do you want to change your motion?

KUBITSCHKEK: I would accept "as well as demographic data comparing those in clinical ranks with those in tenured and tenure-track ranks."

WARFEL: Is that alright with the seconder? **UNKNOWN:** That is fine.

SLEMENDA: I think if we are going to produce a report on this, rather than having a comparison produced of the number of people in these ranks, I think it should be specifically stated that it is the number of people appointed to these ranks, because the number of people in the rank reflects appointment process that existed many, many years ago. I think the concern here is that women aren't disproportionately appointed to this rank now that it exists. I don't think there is much question that there is a big disproportion of representation among the older faculty and what we are interested in is what is going on since the clinical track has been instituted. I just want these numbers to reflect what is actually going on now, rather than what has happened over many years.

WARFEL: One problem with that is that in some years, for example, there may have been 10 women appointed in tenure-track ranks, but who might have been later shifted into the clinical rank. I don't think you can just appoint them just because things happen to people.

KOLESKI: These are essentially bookkeeping problems. It seems to me that what Missy is requesting is consistent with what happens in another part of the university. When the Budgetary Affairs Committee reviews material from the different schools the University administration has requested that these schools produce information in terms of minorities and gender relations for certain kinds of things. It seems to me that this is consistent with what the University is trying to do at that particular level as well.

PORTER: Just a point of information. The Task Force on the Status of Women has certainly been dealing with how what recommendations we might make to best reflect what is happening on this campus in terms of gender distribution and gender inequities. All of these issues have come up and are difficult ones to solve. However, we do have a task force that is focused in that direction. I think the motion indicates a concern. The specifics of how that should be characterized, in all probability, will be dealt with in recommendations coming out of the task force.

PLATER: I don't know whether this will help or not, but I am certainly willing to do it in the spirit of the comments that have been made. Perhaps the simplest thing to do would be to ask the Dean of the Faculties to report annually on the demographics of all persons holding a faculty rank at IUPUI. When that report is presented, if there is reason based on that data for the Faculty Affairs Committee or the full body to take some action or to conduct some review, it would have a basis for doing so, but there would at least be an annual report that gives all of the demographic information about persons holding faculty rank.

BESCH: Point of information. How do you distinguish between clinical faculty (clinical assistant professors of medicine and clinical assistant professors of medicine where there are ones who are paid and ones who are not paid?

PLATER: We do that by geographic full-time.

BESCH: I am not sure everyone understands exactly what that is.

PLATER: There are categories within categories. There are a number of faculty who hold faculty appointment without being paid from university sources. That is, for example, from the Veterans Administration Hospital. Those faculty also have what is called "geographic full-time" faculty status which, I suppose, is very much like clinical faculty. Their source of pay is the main difference.

WARFEL: Were you offering a substitute motion and, if so, what was the language of it?

PLATER: *The Dean of the Faculties shall report annually to the Faculty Council on the demographic characteristics of all persons holding faculty rank at IUPUI.*

UNKNOWN: Does that include the clinical rank?

PLATER: Yes.

UNKNOWN: Will this be broken down into the various different ranks?

PLATER: Yes.

WARFEL: This is something we would add to Recommendation #3 in lieu of adding Missy's phrase. Is there a second to this substitute motion? UNKNOWN: Second.

WARFEL: To have a report from the Dean of the Faculties about demographics in the various ranks is a useful thing, but the heart of Recommendation #3 is to ask the Faculty Affairs Committee and the Dean of the Faculties to review the use of the clinical rank.

UNKNOWN: Call for the question.

WARFEL: The question has been called on whether or not to accept the substitute motion from Missy's motion. All of those in favor of that question being called, say "Aye." All of those opposed, say "Nay." [none] All of those in favor of substituting Dean Plater's motion for Professor Kubitschek's motion, say "Aye." All of those opposed, say "Nay." [none]

PETERSON: I am not sure of what the motion was totally at this point. Do we keep this language that is in Recommendation #3 and add the language that Dean Plater gave us.

WARFEL: Yes. So, Recommendation #3 would read:

The Dean of the Faculties shall report annually to the Faculty Council on the demographic characteristics of all persons holding faculty rank at IUPUI. That the IUPUI Faculty Council's Faculty Affairs Committee and the Dean of the Faculties will review each year the number and use of clinical rank faculty in schools on the IUPUI campus.

SPECHLER: This is back to the point that each faculty involved are doing too little review and the Faculty Affairs Committee is doing too much and too frequent a review. My amendment is to read that the faculties of each concerned school and the Dean of the Faculties will review each year number of clinical rank faculty in the schools on the IUPUI campus. And to add, *the IUPUI Faculty Affairs Committee will review the use of clinical ranks at least every five years.*

BURR: My suggestion would be to just let the Dean of the Faculties report to us and, if we decide that we would like to review it, we can refer it to the Faculty Affairs Committee. What I would like to suggest is that Recommendation #3 become what we voted as an amendment to Recommendation #3 and delete the current Recommendation #3 and mandate it because it always review these things. The important thing we need to do is to look at the report.

PORTER: Given the amount of time that the Faculty Affairs Committee has spent talking about this issue, there is a lot of concern. It would seem appropriate at this time for the Faculty Affairs Committee to conduct annual review to make sure that the implementation of these revisions progresses smoothly. I am very positive that, at the point that the annual review is no longer used by the Faculty Affairs Committee as being constructive, they will come back to this body and suggest that a different time frame is appropriate. But, at the moment, these issues are of concern and if the review is not just up to demographics, the review is really looking at how are these clinical ranks being utilized. So, it is looking at policies and procedures.

WARFEL: Shall we vote on Recommendation #3? We understand that Dean Plater's sentence has been added and that the sentence as it was originally shown is still there.

WITTBURG: Is Dean Plater's sentence the first sentence in Recommendation #3 and the current sentence the second sentence or is visa versa? I would suggest that Dean Plater's text be placed first.

WARFEL: [Reading Recommendation #3]

The Dean of the Faculties will report annually to the Faculty Council on the demographics of all faculty appointments at IUPUI. The IUPUI Faculty Council's Faculty Affairs Committee and the Dean of the Faculties will review each year the number and use of clinical rank faculty in schools on the IUPUI campus.

Those two sentences together make Recommendation #3 which we will now vote on. All of those in favor say "Aye." All of those opposed say "Nay." May I see a show of hands? All of those in favor raise your hand. All of those against raise your hand. The "Ayes" clearly have it.

We are short of time, however, shall we open Recommendation #4 for discussion and test the waters.

HOYT: I think that Recommendation #4 should go back to the committee and have them talk a little bit more than the possible affect on Faculty Council. It seems as though if some faculty did have 49 percent of their faculty in clinical ranks, they could look for those all to be members of Faculty Council and I don't know what that does to the number of tenured and tenure-track faculty Council members actually voting on what is going on in comparison to other categories.

WARFEL: What Recommendation #4 is saying is that we, as the Faculty Council, consider the merits of giving clinical rank faculty a voice here. I think that process of consideration ought to include examining, as best we can, all of the possible affects on the system that we have. But, all this recommendation says is that we should at least consider it.

APPLEGATE: I just need some clarification. Is there or is there not a policy in Indiana University that will control who votes on issues that might involve graduate faculty only, faculty up for tenure or on the tenure line?

WARFEL: There is a definition of voting faculty.

APPLEGATE: Might that complicate the issue?

WARFEL: There would be things that these faculty couldn't vote on. Is there going to be more discussion of Recommendation #4, because if there is, we will wait. All of those who would like to hold Recommendation #4 until the next meeting, say "Aye." That's enough ayes. I will hand the gavel back to Richard.

TURNER: Could I have your attention for just a moment? We are not going to get to the rest of the items. However, we did ask Mark Grove to come here today. The Council had some questions about ID cards so we asked Mark to come today. He was especially glad to come on the chance that he would get to hear us debate the merits of the task force recommendations. But, before you leave, I would like to ask Mark to talk about the ID cards.

ROBBINS: Point of order. I want to ask the Parliamentarian or the Chair about the prospect of getting to Agenda Item VIII. There is an issue that is before us that, if we don't act today, the process will continue without our voice. I think it is important enough that if there is any possible way of getting that agenda item considered today, that is important for us to be represented.

TURNER: We may be able to consider it today, but I think we will have to do it quickly. There is a class scheduled in here for 5:30.

ROBBINS: As long as you understand where we are doing by not taking this item up today.

WARFEL: Mark, we really appreciate your being here and being patient with us, but Ed brings up an important point about expressing our opinions in regard to the health care benefits issue.

AGENDA ITEM VI: CONTINUED "MAJOR ISSUE" DISCUSSION DISMISSAL OF TENURED TRACK FACULTY AND LIBRARIANS FOR MISCONDUCT - DISCUSSION AND POSSIBLE ACTION REBECCA PORTER

There was not sufficient time to discuss this issue.

AGENDA ITEM VII: TRANSFERRING ACADEMIC PROGRAMS AT IUPUI (DEAN WILLIAM PLATER)

There was not sufficient time to discuss this issue.

AGENDA ITEM VIII: REPORT FROM COMMISSION ON HEALTHCARE (PCI TO PPN) ACTION ITEM (IUPUI CIRCULAR 95-08) EDWARD ROBBINS

ROBBINS: The particulars about this item were provided in IUPUI Circular 95-08 so I assume you have had a chance to read that. As an introduction to the discussion, I simply bring to you a motion from the Fringe Benefits Committee and that motion is:

The IUPUI Faculty Council support the recommendation of the Commission on Health Care to switch from the Preferred Care of Indiana (PCI) health care plan to the Premium Preferred Network (PPN) plan with the provision that individuals currently in the PCI plan receiving care for acute medical conditions from PCI providers who are not and who do not become PPN providers be provided the opportunity to appeal for an extension to the proposed transition period until their acute medical condition ends.

TURNER: The motion comes to us from a committee and therefore doesn't need a second. The motion is up for discussion.

HOYT: These are interesting statistics, but I can't compare it with anything. I don't know how many are the same and I don't know how many are different. I don't know what we are talking about. If you are saying that 29 are staying in Indianapolis for the choice of hospitals, how many are not?

WARFEL: What they are talking about is agenda item #1 for the areas of each of our campuses the same choice of hospitals was given. In Bloomington, there are seven hospitals in the PCI plan, the same seven are also in the PPN plan. For Indianapolis there are 29 hospitals in the PCI and the same ones are in the PPN, except that the Koala Center is not in the PPN plan.

SPECHLER: In my reading of this document which you provided in advance does not speak of the coverage of the new plan as against the previous plan. I would like your assurance, Ed, that there is no change in coverage. I ask you that question because we rely very much on your expertise and careful reading of these documents. You may be aware that there were some unannounced erosion of coverage for 1995 as against 1994 about which we were not warned at least to my knowledge. I think we have to be very careful in this era of HMOs and cost saving that there is no erosion of coverage without careful consideration of both the utility and the cost of those moves.

ROBBINS: My understanding is that PPN is exactly based upon the same coverage as the PCI plan. That is, the deductibles will be the same and the coverage will be the same. The only difference will be the discounts that are included in PPN that are not presently provided by the physicians in the PCI plan.

ROTHE: Do we have a choice or is this going to happen anyway?

ROBBINS: What we do here today may influence what that choice will be. The choices are to accept this motion indicating our support for moving to the PPN plan, or reject the motion indicating that we wish to continue with the PCI plan.

ROTHE: We can do that?

ROBBINS: Our recommendation is that we adopt this motion because we think there are substantial savings associated with the new plan. There is very little risk of people being served by current health care providers who are not or will not be enticed into the PPN plan. Our provision is that when that does occur those people will be able to negotiate an extension to the transitional period to cover acute illnesses.

TURNER: Due to the shortness of time I have to call for a vote on the motion. All of those in favor of the motion say "Aye." All of those opposed say "Nay." [a few] The motion is passed.

**AGENDA ITEM IX: SENIOR ACADEMY PROPOSAL: CONSTITUTION AND BYLAWS COMMITTEE
(IUPUI CIRCULAR 95-09) ACTION ITEM CARL ROTHE**

There was not sufficient time to discuss this issue.

AGENDA ITEM X: DEVELOPING A TUITION GUARANTEE PLAN FOR IUPUI KATHLEEN WARFEL

There was not sufficient time to discuss this issue.

AGENDA ITEM XI: OTHER STANDING COMMITTEE REPORTS

There was not sufficient time to discuss this issue.

AGENDA ITEM XII: QUESTION / ANSWER PERIOD

There was not sufficient time to discuss this issue.

AGENDA ITEM XIII: UNFINISHED BUSINESS

There was not sufficient time to discuss this issue.

AGENDA ITEM XIV: NEW BUSINESS

There was not sufficient time to discuss this issue.

AGENDA ITEM XV: ADJOURNMENT

TURNER: I would like to have motion to adjourn this meeting. [Motion made] The meeting is adjourned.

INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS
FACULTY COUNCIL MEETING
APRIL 6, 1995
LAW SCHOOL, ROOM 116
3:30 - 5:15 P.M.

PRESENT: ADMINISTRATION: Dean William Plater. DEANS: John Barlow, P Nicholas Kellum, Angela McBride. ELECTED FACULTY: Patricia Blake, David Burr, Timothy Byers, Lucinda Carr, Gayle Cox, Elizabeth Evenbeck, Naomi Fineberg, Karen Gable, Carlos Goldberg, Juanita Keck, Robert Keck, M Jan Keffer, Raymond Koleski, Dana McDonald, Bart Ng, Michael Penna, Richard Peterson, Rebecca Porter, Ken Rennels, Norris Richmond, Edward Robbins, Carl Rothe, Jane Schultz, Karen Teegarden, Kathleen Warfel, Charles Yokomoto. EX OFFICIO MEMBERS: Barbara Cambridge, Janet Feldmann, S Edwin Fineberg, Edgar Fleenor, Carlyn Johnson, Robert Lehnen, Martin Spechler, Richard Turner. VISITORS: Trudy Banta, Erwin Boschmann, Alan Crist, Mark Grove, David Handel.

ALTERNATES PRESENT: DEANS: Ann Richmond for Walter Daly, Robert Nevin for Roberta Greene. ELECTED FACULTY: Barbara Albee for Dolores Hoyt, David Lewis for William Orme, EX OFFICIO MEMBERS: Melinda Phillabaum for Virgie Montgomery.

ABSENT: ADMINISTRATION: Chancellor Gerald L. Bepko, J Herman Blake. DEANS: A James Barnes, Trevor Brown, Barbara Fischler, H William Gilmore, Kathy Krendl, Norman Lefstein, Alfred Potvin, John Rau, Robert Shay, David Stocum, Donald Warren, Charles Webb. ELECTED FACULTY: Roko Aliprantis, Margaret Applegate, Biagio Azzarelli, Darrell Bailey, Merrill Benson, Henry Besch, Diane Billings, Zacharie Brahmi, Timothy Brothers, David Canal, Michael Cohen, Michael Dalsing, Jeanette Dickerson-Putman, Paul Dubin, Howard Edenberg, Joe Garcia, Gareth Gilkey, Linda Goodine, Stuart Hart, Henry Karlson, Stephen Lalka, Stephen Leapman, Eric Long, James McAteer, Lynda Means, Richard Meiss, Debra Mesch, Bernard Morrel, Byron Olson, Nasser Paydar, Margaret Richwine, Michael Sadove, Brian Sanders, Richard Schreiner, Lee Schwecke, Akhouri Sinha, Charles Siemenda, Jeffrey Springston, Jerrold Stern, David Suzuki, Jeffery Vessely, James Wallihan, Eric Wiebke, Jennifer Wiebke, Patricia Wittberg, Richard Wyma, Susan Zunt.

AGENDA ITEM I: CALL TO ORDER

TURNER: This meeting is now called to order.

AGENDA ITEM II: MEMORIAL RESOLUTION

TURNER: I would like to call your attention to the memorial resolution which is attached to the agenda for Eugene Levitt. I would like for you to rise with me for a moment of silence.

AGENDA ITEM III: ADMINISTRATIVE REPORT - Chancellor Gerald Bepko

TURNER: I would like to turn to Dean Plater to offer what will be the Administrative Report.

PLATER: Chancellor Bepko asked me to express his regrets for not being able to be here today. He has always made a point of attending Faculty Council meetings despite whatever pressing business there might be, but sometime ago he accepted an invitation to participate in a seminar at Harvard University and had to leave this afternoon in order to get there on time. However, he sends his sincere apologies for not being here today.

Following that, I also want to apologize in advance because I am going to have to leave before the meeting is over.

Following all of that good news, it has fallen to me, unfortunately, to tell you that it appears as if there will be a repeat this year of a problem that we had last year during the final exam week. As you will recall, we had the mini-marathon occurring during the Friday of final exams. That event will be repeated again this year. There is not much that I can tell you in the way of specific information at this time. We do know that the start of the mini-

marathon will be at 9:00 a.m. which means that we should all be giving our students and ourselves warning to get on campus early and depart before the start of the race because, not only will streets around the campus be closed, but also the interstate access. I think it was the interstate closure that caused more problems last year than anything else. There will be detailed information available next week from the City about their plans for lane closings and the impact of closing the interstate exit ramp. We will make that information available broadly through Campuscape and through E-Mail notices and we will try to communicate with every faculty member that we know is scheduled for a final exam on Friday. We wanted you to know as early as possible that this will occur on May 5, the final of Final Exams.

PETERSON: Do you have any idea when the streets will be opened during the noon time period?

PLATER: The mini-marathon is supposed to conclude about 12:30 p.m.

PETERSON: On campus?

PLATER: I don't know. The course is supposed to be same as it was last year. As I recall, most of the streets were open but it was the lanes that were closed so the traffic was able to flow. But, there were problems getting across New York Street and Michigan Street. We will provide detailed information about what streets will be affected.

AGENDA ITEM IV: PRESIDENT OF THE FACULTY REPORT - Kathleen Warfel

WARFEL: I don't have a long report today since we have such a long agenda. I do want to mention a couple of things. As you know, the eight task forces that are flocking in strategic directions for the University are working this semester. Most of them have now scheduled open forums on each of the campuses including our campus. Barbara [Cambridge] has asked me to announce that the Task Force on Accountability and Assessment has an open forum scheduled tomorrow from 12:30 until 2:00 in the Indiana Room. If you any of you can attend that an help that task force do the right thing, we would appreciate it.

Trudy [Banta] has dropped off for each of us to pick up and share with others an invitation to an open dialogue for faculty, staff, and students in the University Library, Room 1116.

Finally, I would like to hold a special election today concerning the formation of a review committee that is going to watch over how we at Indiana University put the Teaching Capacity Model into place for all of our campuses and all of our schools. Remember, the Board of Trustees asked that the Teaching Capacity Model be used as a means of accountability and assessment in our teaching method. We said, "yes, that is fine", but we would like for there to be a review committee to see how it goes and to refine the model and to report back to all of us at the end of next year. We specified that, along with administration, there should be one elected faculty member from each of the campuses to participate in that review process. We have three people from our campus who have expressed an interest in being on that committee. So, if we could quickly hold an election today then we can get our person put to work. [The three candidates were David Malik, School of Science; Rowland Sherrill, School of Liberal Arts; and Martin Spechler, School of Liberal Arts]

WARFEL: Is there anyone here who didn't vote? We have a tie, therefore, we will have to vote again. [Juanita Keck entered the room late and broke the tie] Our representative on the Teaching Capacity Review Committee is David Malik.

AGENDA ITEM V: PROPOSED AMENDMENTS TO THE CONSTITUTION (IUPUI CIRCULAR 95-12) - Carl Rothe

ROTHER: Good afternoon. Professor Wilkins has a scheduled class at this time. She is the chair of the Constitution and Bylaws Committee and I am a member. If you will look at IUPUI Circular 95-12 which is attached to the agenda for today.

The Constitution and Bylaws Committee currently has also some amendments concerning the Board of Reviews and also some questions about the possibility of representation for the School of Allied Health Sciences. Those are

future items.

The Constitution and Bylaws Committee moves the following amendments to the Constitution of the IUPUI Faculty:

Article IV, Section A - Faculty Council Membership There is a new heading for this item IV which is ~~Non-voting Ex-Officio Members~~ instead of the current one of Student Members.

"a" is identical to what is there already.

"b" is new.

The President of the IUPUI Staff Council shall be a non-voting, ex-officio member of the Council. When the Staff Council President is unable to attend meetings of the Faculty Council, he or she may send a designated representative.

"c" is new.

An elected representative of the IUPUI Senior Academy (an organization of retired IUPUI faculty and staff members) shall be a non-voting, ex-officio member of the Faculty Council.

So ends the motion and the report. Are there any questions?

TURNER: Since this motion comes from a committee it needs no second. The floor is open for discussion for these matters. Before we proceed, Henry Besch is out of the country so he couldn't be here today. That means we won't have any parliamentary problems. [laughter] Is there any discussion on the motion from the Constitution and Bylaws Committee? Hearing none, I would like to ask for a vote on the motion. All in favor of the motion proposed by the Constitution and Bylaws Committee, say "Aye." Opposed? [none] The motion carries unanimously.

ROTHER: This will be circulated to the faculty for their vote later on this spring.

AGENDA ITEM VI: CLINICAL RANKS DOCUMENT DATED MARCH 3, 1995

TURNER: Agenda item VI is the last item on the recommendations to come from the Clinical Ranks Task Force and that is included in the agenda, Circular 95-05.

Recommendation #4 asks the Council to consider giving clinical faculty rank a voice in faculty affairs. The Executive Committee has offered an amendment to that recommendation which is listed at the bottom of Page 3. That is, instead of beginning with an open discussion at Faculty Council, it suggests that we gather together the heads of Academic Affairs, Faculty Affairs, and the Constitution and Bylaws Committee and appoint an ad hoc committee to study the issues and come back to the Council and advise us about this matter of clinical ranks faculty having a voice in faculty affairs. The amended motion is the one before us today and coming from the Executive Committee, it stands as a motion and needs no second. Is there any discussion?

Let me remind that you that one of the charges brought to the task force was that clinical rank faculty were serving and having an impact on much of the teaching and service going on on campus. For people who had that much to do with the business of the university not to have a voice in faculty affairs was thought to be perhaps something that should be addressed. The Task Force felt that the place to begin that discussion was the Faculty Council. All this motion does is suggest that Faculty Council, in the fashion described, set up a committee to look into that and bring some recommendations to the Faculty Council.

PETERSON: If we vote on this, do you want to get on it right away or following the reconstitution of the committees for next year?

TURNER: I think the intent was that I would meet with the heads of the committees before the end of this year, and appoint a committee and they can get started as soon as they are able.

GOLDBERG: I have two questions for clarification. What do we mean by 'voice?'

TURNER: What the ad hoc committee will look into is whether or not 'voice' means access to the floor -- not only at the Faculty Council, but also in the deliberative bodies within each school having clinical ranks. The committee will consider whether that means access to the floor, whether it means a vote, and whether it is a weighted vote. Those are all options I would guess. This simply says that the committee will look at the matter. It doesn't commit us to anything.

GOLDBERG: Who makes the decision? Is it the Vice President?

TURNER: No. The Council will make that decision. In preparation for that discussion, what we are proposing is to appoint a committee that will explore the issues and gather some opinions and focus the issues for the Council.

WARFEL: We want a group of hard workers to go off and think about it. What if we gave them a vote? What would the implications be? Would that be a good idea or a bad idea? We want a group to go up there and think about it really hard and come up give us information about it and then we can make up our minds what we think is best to do.

GOLDBERG: The confusion is that in the first half of the motion clinical rank faculty have a voice, and in the second half a committee is going to decide what that is.

WARFEL: They are going to consider the merits.

TURNER: In the first place, it doesn't say they are going to have a voice. It says the Council should consider the merits of them having a voice.

GOLDBERG: In other words, we are going to ask this committee to come up with a recommendation regarding this?

TURNER: To the Council, yes.

N. FINEBERG: Just a point of information for people who are not in the Medical School, the Medical School currently gives a vote to clinical rank faculty -- not volunteers -- but full-time clinical rank faculty in all matters involved with Medical School. They can be elected to office within the Medical School faculty. But, of course, they cannot vote on, for instance, representatives to the IUPUI Faculty Council which makes elections an interesting procedure. But, our policy has been to give them a full voice.

TURNER: Is there anymore discussion on this issue? The motion then is to create this committee that will explore the issues and come back to the Council for its consideration. All in favor of the motion as presented [recommendation #4], say "Aye." Opposed? [None] The motion passes. The persons named to that committee will get busy soon.

AGENDA ITEM VII: CONTINUED "MAJOR ISSUE" DISCUSSION

TURNER: We will now move to the next item on the agenda and talk about this part of the "Major Issue" discussion. This is a discussion on Dismissal of Tenured Faculty and Librarians for Misconduct. The document has been distributed to you a number of times. I would like to ask Rebecca Porter, chair of the Faculty Affairs Committee, to introduce a motion and answer any questions.

PORTER: The IUPUI Faculty Affairs Committee moves adoption of the IUPUI Dismissal Procedures for Tenured Faculty and Librarians, Part II, Alleged Misconduct as distributed.

ROTHER: Is that Circular 95-10?

WARFEL: It was attached to last month's agenda.

ROTHER: I am looking at Circular 95-10.

PORTER: If that was the one that was attached to last month's agenda, then that is the one. This was from a previous draft. There were a few changes that were made and most of them dealt with wording. In the second paragraph which starts with "Where the ability of the faculty member or librarian to perform effectively..." there was some language that was added. Instead of saying "where the work of the department, school, or library could be disrupted..." It was changed to "clearly would be disrupted..." There was language added in that line saying "if immediate harm to himself, herself, or others is threatened by continuance..." and that was added to reflect language in the IU Academic Handbook policy on Dismissal. This paragraph was previously housed within the section dealing with Formal Proceedings. It was decided that it was appropriate to move it up before we even enter the informal discussion period because there might be those situations where harm could be done and that we needed to be able to implement a procedure at any time when it became evident. It isn't meant to take away the individual's rights, but it is the ability to deal with an immediate situation. So, it was moved out of "Formal Proceedings" and moved above the "Informal Discussion Period."

There also was language added in the bottom paragraph on that page. The paragraph that begins "In cases in which the dean of the academic unit and the faculty member or librarian disagree..." Down towards the bottom, it is having a discussion about the committee offering an opinion as to whether serious misconduct, whether or not the alleged act could be characterized as "serious misconduct". The wording that was added was "after meeting with the dean and the faculty member or librarian". That wording was added to assure that the committee would collect information from both sides -- that they both talk to the administrator and the faculty member or librarian.

Those represent what were some, in the committee's view, 'housekeeping' issues to try to get the document cleaned up.

GOLDBERG: I have a problem with page 6 regarding "outrageous" behavior. There are enough specifics in the document, consequently, that I move that 'outrageous behavior' be stricken.

TURNER: That motion needs a second. [UNKNOWN: seconded]

KOLESKI: Dr. Porter, could you or someone on your Faculty Affairs Committee please explain why the term "outrageous behavior" was used? Could you please give examples of what might be term "outrageous behavior"?

PORTER: The Faculty Affairs Committee did discuss this based on the conversation in the Council and decided to retain the language. The decision to retain the language was that there were acts which are not protected by freedom of speech or any of those other protection academic freedom, but there are acts which individuals can do which are in fact outrageous. It is not a well defined entity, but it was language that needed to be retained.

KOLESKI: I thought that I recalled an example of something as being considered 'outrageous behavior' is the teaching of the denial of the Holocaust?

PORTER: That may have been one of the examples that was offered in the group.

KOLESKI: I mentioned the teaching of the denial of the Holocaust as an example since others in the room can get an idea of what was meant by "outrageous behavior."

PORTER: One of the reasons that the committee felt comfortable with retaining the language was that whether or not a particular behavior fell in the category of being 'outrageous' and therefore serious misconduct would be determined by one's peers. So that, a behavior in one setting which would not be outrageous may indeed be outrageous in another setting. I don't know the culture of your school so I don't know whether or not that would

be outrageous behavior.

GOLDBERG: Yes, it would be outrageous.

PORTER: If we use examples and characterize an individual example, what you have is a lack of information on which to make an assessment. You did it one time and you did it to emphasize a point, no. You consistently show up and you are advised that this is inappropriate behavior and you continue to demonstrate it and it is interfering with your ability to interact with students and the public... I can't define the lines.

GOLDBERG: That is the point.

ROTHE: I am in favor of retaining this language because it seems to me it leaves open for the peers, for the dean, to cover some kind of behavior that might be legal and might be honest, but it certainly very, very disruptive and it is a continuing type of thing. It seems to me we should have this possibility. I hope it is obvious in this document that it is up to the people for the people at the time to make the decision whether it is or not. The possibility should be there.

S. FINEBERG: I think the language is too broad and I believe then the few words that introduce that sentence are broad enough so that they would cover the kinds of behavior that one is talking about as you generally consider outrageous. I would suggest that you omit the words "associated with outrageous" simply because they are not necessary because it already covers such behaviors and perhaps it is something that in one time might be unacceptable and another time not.

YOKOMOTO: I think I agree with the basic concept, but I think the problem is with the word "outrageous." It has a different meaning today. To some, it means something good, like children saying that "your car is outrageous." I would agree if you said "outrageous outrageous behavior." [laughter]

PORTER: I thought you were amending it to say "outrageous as defined by those over the age of 40." [laughter]

P. BLAKE: I would just like for the word 'outrageous' to be defined. I think of the word 'outrageous' as the peers, deans, and chancellors define, is something that will change over time. Things today are not outrageous that were outrageous 10 years ago on this campus.

LEHNEN: I would like to speak in favor of the motion to remove this language. I speak from a context of growing up and going to graduate school at a time when there was a lot of political dissent in this country and have what has happened on several other campuses being well aware of certain constitutional ~~places~~ that have come all the way through the court. But, to touch on the issues of freedom of speech and academic freedom, I think a phrase like 'outrageous' is, in fact, outrageous because it can't be defined. It poses the same dilemma when he tried to define something called _____. The court has never been able to find a rule showing what is _____. What is _____ in one person's mind is not _____ and in another it is. And, for the government or any other oversized _____ to try to define 'outrageous' I think poses the same issue. The rest of the language in the document is much more specific. I don't think we need this language. I think that the document, as it stands now, gives very specific things that we all can define in a responsible way. What is plagiarism in falsification of reports? Persistent neglect of duties, I am sure that we can define within our own schools what we consider the requirements of the job to be.

BYERS: If we were to decide that a vague term should be included, perhaps the word "unacceptable" might be more appropriate and less inflammatory. This could be made a bit more specific by phrasing it as "behavior considered unacceptable by peers."

APPLEGATE: I would like to speak in favor of the word 'outrageous.' While I really wish the attorneys were here, I don't know where they are when we need them, but there is in fact a case law (could not understand) and it is determined by the jury of peers. I know of at least two examples where cases have been _____ for outrageous behavior. So, I would support the term outrageous.

BURR: I would just point out that, if you read the first part of that sentence it says, "The following acts exemplify, but do not exhaust the sort of activity which might constitute misconduct..." That allows a broad range of things to be considered. So, you can delete the phrase 'outrageous behavior' and not lose anything in this paragraph at all.

TURNER: It is time to vote on the motion to amend. As I understand the motion, it is to strike the language 'outrageous behavior towards colleagues, staff, students or members of the public.' If that is the motion, then I would like to ask all of those in favor of this motion to say "Aye." Opposed say "Nay." Let's have a show of hands. All in favor of the motion raise your hand. All of those opposed raise your hand. The count is 19-15 and the ayes have it.

SPECHLER: I believe it requires a two-thirds vote to amend a motion.

ROTHER: Amending a pending motion requires a majority.

TURNER: Now we are dealing with a motion from the committee which you have before you, but which no longer has the phrase 'outrageous behavior, etc.' The discussion then is on the document.

LEHNEN: I have a concern on page 6 as to how the procedure will apply to faculty in university schools. The way I read it, a school-based committee, my own school of SPEA, would be the basis for the review process for the serious misconduct. Our school-based committees are involved with representatives from five campuses and I am troubled by the issue of whether the faculty in my school for this campus are being held to the same standard that my colleagues are.

PORTER: I can tell you the general intent of the committee and then, perhaps Dean Plater can help me out in terms of the specifics. The premise behind the document was trying to look at ways in which the schools would set up procedures within the overall structure of the IUPUI document. I know that is not a specific, but the committee tried not to set it up in such a narrow manner that it would be problematic given all the different configurations on this campus. So, my assumption is that your school would then have to work out the procedures that would assure that it is truly a group of your peers who are functioning at the different levels.

LEHNEN: But, that doesn't address my main concern which is that there will a different standard for faculty on this campus than for my colleagues. We operate within the context of a five-campus operation. So, the policy leads to, what I see, as a division in terms of what is expected. The people here are subject to a different set of criteria than the other four campuses.

PLATER: That in fact would be true. This policy applies to the faculty who hold their tenure appointment on this campus and they would be subject to the policies that are described herein. The faculty member in SPEA who holds appointment in Ft. Wayne would not be subject to this policy.

LEHNEN: I think that would be an incentive to our school. I don't know whether this issue is raised by another school.

PLATER: This is not the only issue where there are campus specific policies that take precedent over school policies. There are many such incidences. So, this is not by any means a precedent. Schools, so far, have been able to accommodate and live with this.

WARFEL: I think it is important to keep in mind that just because at some point eventually we will have an agreed upon written policy, that doesn't mean that it is only at our campus that tenured people can be dismissed. I, as a faculty member, would rather have a written policy that outlines what can and cannot happen to me than to be at a disadvantaged campus that doesn't have anything written down..

LEHNEN: I think this goes to the heart of the dilemma of being in a university school. The heart of this is that I am not opposed to this idea generally. It is the question of 'outrageous.' I think your argument of making it more explicit so that everybody knows the rules that we have a due process here is a good idea. What I am concerned

about is that it is going to be applied to one campus when in fact it looks like it is a much broader faculty issue for the institution. That is what I am raising here with respect to how it applies to system schools. I should restate it to say "Why doesn't this apply to the institution as a whole?" Why are IU faculty members subject to this kind of a policy? That seems to me to be the appropriate discussion for Faculty Council.

CAMBRIDGE: One place to discuss that would be tomorrow at the open forum of the Task Force for Accountability and Assessment, which is dealing with that issue. If there are things that get in our strategic directions recommendations for Indiana University, will the other argument be made that campuses don't want that guidance on campus specific issues?

PORTER: Do remember that this is not introducing a policy per se. There already is a university statement that tenured faculty can be dismissed. The intent of this document is to carefully define the procedures that will be followed with the intent of protecting both the interests of the individual faculty member and the interests of the institution. So, it is not policy as much as it is a definition of procedures.

LEHNEN: But that doesn't address the problem that this ought to be a university-wide policy, not an IUPUI policy.

PORTER: Perhaps we can accept it here and then refer it on to the IU Faculty Affairs Committee for consideration.

WARFEL: I don't think so. We got into trouble with the University, we can't call it a system anymore, it is against the rules. But, we do, as a matter of fact, have eight different campuses and eight different councils. Every time the central organization tries to draft language that applies to all of them, we just get into a horrible mess. Every time we try that somebody says "You know what we really ought to do is have a general university wide statement of principle and then let each campus work out the details in accord with that principle." I think that is exactly what we are doing here. There is a university policy that says 'you can't get rid of a tenured person if they committed serious misconduct or are professionally incompetent or the whole place runs out of money.' What we are trying to do now is get these procedures in place for our campus. This is splendid that others may want to adopt it, but it is not really our job as the IUPUI Faculty Council to go beyond the business of our campus.

KOLESKI: It seems to me that we are getting into the area of types of principles each associated with different systems. The first relates to academic issues. As to these matters, the schools including system wide schools take precedence over the campus. The second type of issues are those related to governance and management which is primarily in the domain of the campus. As to such matters, the campus takes precedence over the schools including system wide schools. To me, the dismissal of tenured faculty seems to fall more in the domain of the campus where people have their tenure.

TURNER: Is there any other discussion on this? If not, then could I ask for your vote on this? All in favor of this please say "Aye." Opposed? The motion passes and the document becomes part of the procedures for tenured faculty and librarians. By next month you should have a draft of the Financial Exigency policy. Thank you, Becky.

AGENDA ITEM VIII: CONSOLIDATION OF UNIVERSITY HOSPITAL, RILEY HOSPITAL AND METHODIST HOSPITAL

TURNER: We will now turn to the next agenda item which is the discussion of the proposed consolidation of University Hospital, Riley Hospital, and Methodist Hospital. Chancellor Bepko went to Harvard so he wouldn't have to talk about it today. ~~Laughter~~ David Handel from the Hospital Administration is here to talk about that and to respond to your questions. We circulated with the agenda the press release which was disseminated. The Council was interested and so we organized this discussion. Let me remind you that when you speak at this meeting please identify yourself. It helps when the minutes are transcribed. Thank you.

HANDEL: What I would like to do is provide a brief overview of the proposed consolidation of Riley and University Hospitals with Methodist Hospital. Where I would like to begin is with a review of the major healthcare trends that are impacting our hospitals today and that will impact on our hospitals in the future. Hopefully, this will provide a context to understand the dynamics that we are trying to deal with.

The first trend that I would like to highlight is that healthcare will increasingly be provided by comprehensive

healthcare systems. The term that people are using is Integrated Delivery Systems. An Integrated delivery system will include physicians, hospitals, other levels of healthcare (haymaker, rehabilitative services, long-term care) and it will include a variety of business functions as well. These integrated delivery systems are going to provide care to defined populations. Those defined populations will be formed through employer groups or by insurers.

The second trend is that the healthcare system of the future will have primary care as its center. Historically, hospitals have been at the center of the healthcare system. This is a major change as healthcare evolves. When I use the term 'primary care,' I am using it to include family medicine, general internal medicine, general pediatrics, and ob gyn.

A third trend is that capitation will be a major source of reimbursement, but not 100 percent of reimbursement. Capitation is a reimbursement system that provides a healthcare system a flat amount per month to provide all of the healthcare services for an enrollee. Let's assume that I am in a healthcare system where the providers are getting paid on a capitated basis. They may get \$100 per month and for that \$100, they will provide all of the health services that I require.

Next, revenue will increasingly flow through these integrated delivery systems. Today, the way revenue flows is that purchasers of healthcare will directly pay hospitals, physicians, and haymaker. They do that all separately. In the future, they are going to be increasingly providing the money to an integrated delivery system who will divide that money up among the different types of providers.

The next trend is that we are going to see continued pressure for lower reimbursement for all the services we provide. That includes hospital services, outpatient services, home care, and physician services. In the last 18 months in the state of Indiana Medicaid has dramatically decreased the payments it makes to all healthcare providers. That is having a major impact on our hospitals and our faculty as well. Congress is talking about additional reductions in the Medicaid program. They are also talking about reductions in the Medicare program. Health insurers are similarly trying to reduce their reimbursement by getting greater discounts or paying lower fees.

In terms of utilization, we are going to see increases in the utilization of outpatient and long-term care services. At the same time, we are going to see decreases in inpatient utilization through both decreases in admissions and length of stay.

Academic medical center teaching hospitals will and are being affected by all of these trends. The trends are affecting our medical center at IU as they are all of the hospitals across the state of Indiana and across the nation. Let me give you a very specific example. If you look at the first eight months of the current physical year we are in -- the 1994-95 fiscal year-- and you look at the number of patients that use the inpatient facilities at Riley and University hospitals--that includes two groups: (1) traditional inpatient admissions and, (2) observation patients. In the current fiscal year, the number of these two groups of patients that we treated is up 2.4 percent versus the previous year. However, when you look at the shift that has occurred between traditional inpatient admissions to observation status and then look at the significant decrease in the average length of stay that we have had, you find that our average daily census -- the average number of patients using our inpatient facilities on any day -- is 10.5 percent lower than it was the previous year. That is a very significant change in a single year. We expect these trends to continue.

It is very important that we adapt so that we can continue to meet our missions in the future as we have met them in the past. We must be able to preserve and have access to a significant patient population for teaching, for our clinical programs, and for our research programs. We must also try to be as cost effective as we can be.

The IU Medical Center has looked at the options available to us in the context of the healthcare trends that I have reviewed and how we can best achieve our missions. Based on that review, the Trustees of Indiana University on March 9th approved an agreement in principle to consolidate Riley and University Hospitals with Methodist Hospital. The Methodist Hospital board similarly approved that agreement in principle.

I want to emphasize one thing. This consolidation does not include the Indiana University School of Medicine which remains an integral part of Indiana University. The faculty will continue to have the same relationship with

Indiana University that they do today.

We are now beginning a 9 to 12 month period of analysis that is often called "due diligence." During this period, a detailed analysis is conducted to reaffirm that the relationship will meet expectations, that it is in the parties' best interest, and that it complies with all legal requirements including any necessary federal and state approvals.

What are our expectations? We believe that the proposed consolidation will allow our organizations to be leaders in healthcare delivery throughout the state and beyond. We believe it will enable both organizations to better respond to the changes occurring in healthcare; such as the declining length of stay, increased managed care, changes in utilization, and rising healthcare costs.

We see the following benefits. We will have a single healthcare organization with unparalleled knowledge, skills, and expertise in Indiana. It allows us to build on the great strength that both IU and Methodist have in their patient care and education and research programs. We think it will result in cost efficiencies for employers and individuals. We think it will provide outstanding educational opportunities for medical students, residents, fellows, and other health professional students. It preserves an Indiana based medical system. The new system will provide comprehensive health services, including a full continuum of care from primary care to the most complex specialty care.

Let me review some specifics of the consolidation. It will create one of the largest, not-for-profit healthcare systems in the nation. The consolidated hospitals will be operated by a non-for-profit corporation with a single governing body and management structure. A majority of the governing body will be elected jointly by the IU board and the Methodist board. The dean of the IU School of Medicine will be a permanent vice-chairman of the board. The dean of the IU School of Medicine will have responsibility for the medical education and research programs of the consolidated hospitals.

I want to emphasize that the approval of the agreement in principle is just the first step. There is extensive work to do over the next 9-12 months in a wide variety of areas including getting necessary approvals before consolidation can proceed.

Let me close by saying that we see this as a very exciting step to position ourselves to effectively meet our missions in the future and to create something very special for Indianapolis, for Indiana, and beyond.

TURNER: This is open for discussion.

GABLE: Mr. Handel, you mentioned specifically medical education. I am aware that both Indiana University and Methodist Hospital have other educational programs related to allied health and clinical placement of nursing students, etc. What consideration has been given for the continuation of educational programs at either site as well as the placement of students in clinical experiences?

HANDEL: Let me start with a general comment and then I will try to answer your question. I think the one thing everyone needs to understand is that we are really at the beginning of detailed discussions. We have not worked through in detail a wide variety of areas, other than to agree on some general principles. That is the purpose of the long planning process that we are now going to undertake. Both the IU Hospitals and Methodist Hospital are strongly committed to the education of all the health professional students we have historically trained. We have really not sat down to start working through the specifics of how that would evolve in the future other than recognizing our historic commitment which is not going to change.

McBRIDE: I am excited about the consolidation. I wish you would speak more to how the various concerns individuals may have about the consolidation will get on the table. There are two things that concern me specifically. Everything that you said about primary care was physician-oriented. I see a major role for nurses in primary care, and I am particularly concerned that Methodist has supported physicians assistants programs which frankly wind up then being, to put it nicely, there is tension between programs like that and what would be the culture within a school of nursing. I want to make sure that those concerns don't get put under the table, but in fact, as part of the process, get put on the table.

HANDEL: It would be very useful to Dr. Kleit and myself if you could give us some additional information about your concerns so that we can try to address them.

APLEGATE: I guess I would just like to say even more plainly something that was said before . I would feel a lot better about the consolidation, which I also support, if it refers to health education as opposed to medical education which allows us to become part of the stakeholders instead of a part of the "details."

P. BLAKE: I wanted to ask, and I think that you are already saying that, if we haven't settled the details of the consolidation , are you open to receiving memos from us so those details are addressed?

HANDEL: Of course. I think it would be very helpful to us.

P. BLAKE: I would really recommend that you have an executive nursing educator on that committee when the time comes.

ROBBINS: I chair the Fringe Benefits Committee of this campus and as you know the IU Hospitals, among others, play a role in providing healthcare for employees that is different from the role that Methodist has traditionally played. So, I would suggest that on the list of items to be considered is how this merger might impact that continued role and the provision of the employees' healthcare .

HANDEL: I think that is an important issue. We have already been asked that question in terms of how this might change in the future. Again, I think it is an issue that we need to keep track of and address as we proceed with our planning.

SPECHLER: I am delighted to hear that you think consolidation of the hospitals will reduce the costs quality healthcare for all of the people of Indianapolis, but I would ask some specifics. Bigger is not always cheaper. To consolidate is not always cheaper. What kind of duplications or redundancies specifically do you think you can reduce in order to make these hospitals more productive and the costs to the patients less?

HANDEL: We think that by streamlining and consolidating programs and collaborating we can reduce costs and duplication. One of the things that needs to be done, to answer your question, is that we need to develop planning processes to look at specific programs, involve the program people, and have them see how they can jointly work together in the future. That is the only way we are going to be able to define the specifics of the question that you raise.

SPECHLER: Do you think there are duplications and redundancies that have to be eliminated?

HANDEL: We clearly provide a lot of the same services. The question is, how you can operate together in a cost effective way? Again, that is a very complex process that we are going to need to involve a lot of people with on a program-by-program basis. It is not something that I think we can just step back and do informally.

KOLESKI: Whether consolidation of the hospitals is good or not is irrelevant. But, it is inevitable. All you have to do is look at any major newspaper in the United States and see that consolidation, for good or for bad, is the "in" thing. Sometimes these consolidations seem quite heartless. I have students working in hospitals which are in the midst of consolidations. The amount of anxiety, stress and uncertainty about losing their jobs that I see in them is truly disturbing. I would hope that you folks who are involved in the consolidation of University, Riley, and Methodist have plans for this being at least a relatively humane process. I would hope that in your plans that you have arrangements both for reducing the psychic stress of those who stay and whose jobs are redefined and for assisting those who have to be let go to seek other opportunities in other organizations. Hospitals deserve no accolades to be called helping institutions if they try to be humane to their patients but not to their staff members.

HANDEL: We certainly agree with the philosophy you just stated. Again, I think one of the issues is today we have announced that we are going to proceed without yet having developed a lot of the specifics necessary to answer the kinds of questions that the staff would really like addressed in very specific terms. It is clear that a change like this produces a high level of anxiety of everyone involved. We need to work through that as best we

can.

EVENBECK: As you go through this process now of putting things together, how will you keep the campus and the various groups comprised of what is going on? Following that, what sort of ongoing evaluation process do you anticipate having once it is pretty much in place?

HANDEL: I can respond to that from the hospitals perspective. I think the Dean of the School of Medicine can better address the process to be followed within the School of Medicine. What I am doing now is attending staff meetings of all the departments and talking about where we are in the process. We will provide communications in a number of different ways. We will probably use our newsletters. We may have open meetings for the staff periodically to discuss where we are in the process. I think the key right now is to have as much communication as we can and that is our intent.

In terms of evaluation, the question is defining the things you are going to evaluate so there can be a before and after review. Certainly some of the things will be clear in terms of what has happened with operations and costs. I think we need to work through this issue.

PLATER: Let me add to the comment that David has made, it will be our intention to have a regular, uniform, and systematic means of communication. Probably, we will dedicate a portion of Campuscape in each issue as an update on what is happening and to use that as a vehicle to keep the whole campus informed about developments. In addition, it is our plan to have a series of public meetings oriented to the different groups that will have an interest or stake in the results of this consolidation, certainly, the faculty of the campus. Dean Daly intends to have similar meetings with the faculty in the School of Medicine, specifically. But clearly, there are issues that go beyond the School of Medicine as has been identified here and it will be the campus' intent to have regular open meetings for expression of ideas. In addition, many of the issues that will develop as a consequence of the conversations that Dave has identified will require follow up and we will obviously develop task forces and committees to deal with those issues as they merge. We will try to do everything we can to insure that everyone knows about what is being discussed, they can comment, and then what the progress is in making recommendations about specific actions. There will be more said about both the systematic communication process and a task force of committee structure later on.

WARFEL: Mr. Handel, We are very happy to have you here. I don't want to beat up on you, but this is a faculty council and I think we can understand why negotiations have to be done quietly and privately to get to a certain point, but now we are at the point where things are going to be happening to the academic programs. Most faculty feel that what happens to academic programs ought to be determined by them and not by people who aren't faculty members or at least not only by people who aren't faculty members. I would just like to put in a plug again for the relatively near future for it to be clear to faculty how faculty are going to be participating in the decisions that will affect the academic programs because we are sort of what amounts to due diligence and I don't see the forum, the framework, the open door for faculty -- not to just to hear about what someone else has decided, but to be in on the decision making process where the academic programs are concerned.

HANDEL: As part of the planning process we have had so far, there has been extensive involvement of the clinical leadership within the Medical Center. Several of the chairmen have been involved in all stages and in all the discussions. So, we have had a lot of the clinical leadership involved. I think, as Dean Plater alluded, one of the things that is being worked on now is defining a process from the campus' standpoint, of how we move forward and how we will address different issues that will impact everyone on the campus. I know that the Chancellor is working on defining this kind of approach and I believe it will be ready within the next couple of weeks.

WARFEL: I think that will be very helpful.

PETERSON: One of the issues that certainly involves us, as faculty, is how the faculty that are members of the School of Medicine -- the clinical faculty are going to integrate with medical staff of the hospital systems. It can be a long drawn out process in some ways and the compatibility of different thought processing might be somewhat problematic. I heard from a graduating resident from one of the programs in the city who had been a medical student of mine some years ago and his comment was "Those physicians from Methodist are going to eat

up those physicians from the IU School of Medicine. They are going to teach them how to do medicine." That was his comment from an outside perspective. I am somewhat concerned if that is an attitude of the medical staff from Methodist Hospital.

HANDEL: One of the interesting things that has occurred over a period of time as we have had these discussions with a variety of groups in the city is the kind of comments we get back. But, similarly when you talk to the other institutions, they believe they are getting the same kind of comments from the IU side. [laughter]

PETERSON: That is the problem. How are we going to integrate and bring this together?

HANDEL: The whole issue of the medical staffs and how the medical staffs relate is probably as complex as any issue we need to address. What we are trying to do now is at least understand what the specific issues are and then go through a process to address them. This clearly is an important area. Again, the rumors that you can hear and one one liners that you hear are interesting to say the least.

TURNER: Thank you, David. I would like to close this discussion at this time. We need to move on to other agenda items.

AGENDA ITEM IX: TRANSFERRING ACADEMIC PROGRAMS

TURNER: I would like to move to the next item of the agenda on Transferring Academic programs.

PLATER: I will be very brief on this point. I think this was on the agenda of the last meeting because of a particular concern about the possible transfer of the program in Nutrition and Dietetics. In addition to that, there had been discussion of the possible transfer of the program in telecommunications. I think what I am going to say about the general issue of the transfer of academic programs is that we have transferred academic programs on this campus for years. It has always occurred by process of mutual consent of the unit giving up the department or program and that which is receiving it as well as the faculty involved in the transferred program.

In the last few years we have had transfers involving the Health, Occupation, Education from the School of Education to Allied Health. The Restaurant/Hotel Institutional and Tourism department has moved from Engineering and Technology to the School of Physical Education. Music has moved from Liberal Arts to free space and then to the School of Music as part of the School of Music that is based in Bloomington. Military Science has transferred to the School of Physical Education. Gerontology has transferred from administrative unit to the School of Social Work, etc. So, we have done a number of academic program transfers that have gone, I think, very well because all the parties have agreed to them. I believe that is the situation with both Nutrition and Dietetics and Telecommunications. However, under the circumstances that we have just heard, with the consolidation of the hospitals with Methodist and other matters of fiscal/financial exigency that loom on horizons have become a more important issue. We have tried to address this in the policy that you will see next month on financial exigency. But, the point I think now is to reassure you that there have been academic programs transferred in the past, they will be in the future, and to the fullest extent possible this will be done with the mutual agreement of all parties involved. If there are specific questions, I would happy to answer them.

WARFEL: As a point of clarification, when you talk about the faculty of the units that is giving up the program, when you say that do you mean just the faculty who are being moved or do you mean the broader faculty within the giving up unit?

PLATER: I am not sure that I can answer that specifically, Kathy, because in the cases that I am familiar with there has been a general understanding or agreement that this the time for the unit to move. I don't know that any particular move has been the result of a school, senate, or council vote. But, I think all of the examples that I recited have been with the broad understanding of what was happening and with an agreement that the time was right to make that change. I can't tell you what the process of consultation were.

TURNER: Thank you, Bill.

AGENDA ITEM X: DEVELOPING A TUITION GUARANTEE PLAN

TURNER: The next item on the agenda is Developing a Tuition Guarantee Plan.

WARFEL: You will remember that President Brand had asked the Bloomington campus to come up with a tuition guarantee plan and they have done so. It is called GRAD PACT. At the same time he had warned the rest of the campuses that he requests that each of us come up with a tuition guarantee plan. We are now at the point where our one year grace period is about to be over and this is going to be a very important agenda for us in the fall. We have asked our Academic Affairs Committee, Faculty Affairs Committee, and Student Affairs Committee to think about what our campus might do. There is a personal completion plan draft that has been circulated not only to those committees, but also to the deans. Using the mechanism of the Council on Undergraduate Education to get all of the people talking about this issue, we will be moving forward whether it turns out to be a variation of the personal completion plan or something different, we need to come up with something. We will be working through the summer and the fall on that. If anybody doesn't have a copy of the GRAD PACT that was passed in Bloomington or the draft of the personal completion plan, I would be happy to send you one.

NG: Point of information. Who made the first draft? I was also wondering what process we have to go through to approve of this?

WARFEL: I have previously referred to the Personal Completion Plan. Is that the one you are talking about?

NG: That is correct. (could not understand the rest - something about the Personal Completion Plan) that is in front of the Council for Undergraduate Learning at this point.

WARFEL: I had gone around referring to it as Plater's Personal Completion Plan. I was told that I wasn't supposed to do that because in fact there were other people in the AO Building that had been involved with that. So, maybe I should refer to it as the AO Building draft. ~~(laughter)~~ When we sent it to our Council committees we asked them to consider it, but we specifically asked them to think about this issue and if they wanted to come forward with a totally different draft, yes, they could do that.

NEG: I am sorry but I still don't understand. Did it go to this Council and we were to come up with a total different draft?

WARFEL: I think we are early in the stage. We have asked Academic Affairs Committee, Student Affairs Committee, and Faculty Affairs Committee to look at this. Anyone of those committees could come up with a totally different draft. Within the Council on Undergraduate Learning, where this will be discussed, a totally different thing could come out of that preliminary discussion. What will be our role in approving it? We agreed that the Council on Undergraduate Learning would be a forum for drafting something that would go out to schools *after the Council had had it* and to come back until we finally have something that we as a campus could agree upon.

NG: I just want to have some assurance that we we are still in a very early stage of the writing of that document. It is not something that was presented to us to approve or disapprove of at this time?

WARFEL: That is correct.

AGENDA ITEM XI: OTHER STANDING COMMITTEE REPORTS

TURNER: We have a report before us from the Academic Affairs Committee. It doesn't require action. Is there discussion of this issue?

ROBBINS: I would like to add to the recommendations of this committee, a recommendation of my own. At an earlier meeting this issue was discussed and it is was part of what came out of the Planning Committee's consideration of this and that is a recommendation that the Office of the Registrar continue to look for ways in which the registration and the grades reporting process could more appropriately accommodate all the variations

that we now have found that we can incorporate in these two six-week periods. Those include courses that don't begin at the beginning of one of the two six-week terms or ends after or across those two and gets confounded somewhat by the fact that grade reporting and registration occurs at a different time. There are difficulties for those who find out about the opportunity after the registration period has passed even though the course may not begin for some time yet. I assume that there ought to be ways in which we can make the registration process somewhat more responsive to the flexibility that we have identified as being available within summer sessions.

GROVE: I am Mark Grove from the Registrar's Office. We are looking into that. The Calendar Committee met and they reviewed some of the issues. But, within our office and the Bursar's Office we are investigating some of those very issues. We have greater flexibility than some recognize as 20 percent of our offerings in the summertime aren't six-week classes. The majority of that 20 percent are shorter; some, especially remedial courses, go longer than that; some start late to allow us the ability to market to a particular population, such as in the School of Education. We are trying to find increasing ways to improve the flexibility of being able to allow students to register, supporting as best we can the specific needs of the various schools.

TURNER: Is there any other discussion of this report? [None] If not we will move on to the next agenda item.

AGENDA ITEM XII: QUESTION / ANSWER PERIOD

TURNER: Would someone like to stand in for the Chancellor during the Question and Answer Period? [laughter]

AGENDA ITEM XIII: UNFINISHED BUSINESS

TURNER: We will move on to the unfinished business.

WARFEL: Since we have a little time, I wanted to say something about the status of the Clinical Ranks document. The University Faculty Council discussed it at the March meeting which was held at the IU East campus. We had described the discussion as "lively" I think. The University Faculty Council meets again this Tuesday. It is very important for all of our representatives to be there. Martin, do you want to say anything?

SPECHLER: Let me reinforce what Kathy said. This resolution is in trouble. My soundings around the system indicate that we will lose. If you are in the School of Medicine or the School of Law, you appreciate all of our arrangements for clinical ranks. My committee, because I have favored this resolution, have introduced a number of amendments in consultation with Kathy Warfel, Richard Turner and others to make it more acceptable to our colleagues around the system. I want to tell you about those very briefly.

First, we have put in a definition of what clinical ranks are. They involved service or care of patients or clients or supervision of those who provide such care. The idea of a definition was criticized again and again.

Secondly, we have also said that any limitations placed by the faculty of a school will apply to each and every campus so that a school cannot establish an outpost on some other campus with clinical ranks only.

Thirdly, we have promised that, if the motion is approved, we will consider the matter of clinical ranks tenure. Personally, I oppose that, but it was the concession which we hope will secure the majority for the main motion. We will consider the matter of giving tenure to clinical ranks as soon as we can, but it is such a complicated matter and I would think controversial that we ought to consider that at some length. Likewise, the whole matter of irregular appointments that proliferated on this campus and elsewhere -- people's whose appointments cannot be found or described in the Academic Handbook. I fear that, if we improve the position of clinical ranks, which I hope we will, that this may induce deans in a situation financial stringency, to increase the number of irregular appointments and thereby frustrate the intention of this body, and I hope of the UFC.

That is our strategy. I don't know if it is going to work. I suspect it will not work. We need everybody who has a right to vote there to vote. I suggested to Richard and Kathleen that we have to do more. We have to mobilize people who can speak at the UFC to explain how important it is to our programs here. Also, to try to persuade some of our colleagues from the smaller campuses to go along with us. I hope it succeeds but we have to

recognize that, when a meeting is held in Bloomington, Bloomington people have an even more disproportion of representation than usual.

P. BLAKE: Is there a way that we can tap the people who are on the University Faculty Council so that if they are not going we can find a replacement for them?

WARFEL: Richard, Dean Plater, and I sent a letter yesterday saying how important it was to be there. I think your suggestion is a good one. We will check on Monday to get a commitment that they are going. The Chancellor is going for sure because he can't send a voting substitute. But, our faculty representatives could send voting substitutes. We will follow up on that.

TURNER: Is there any other unfinished business?

SPECHLER: This is something that is unfinished. I hope it is. It has to do with the financial exigency that has been mentioned once or twice by you. I would have asked the Dean of the Faculties about it. This is bound to be a worrisome, even explosive issue, on this campus because as most people here know declaration of financial exigency allows the administration to fire people who have tenure or who are on tenure track for financial reasons. That is a most disturbing possibility, I must say. I would like some assurance that the Budgetary Affairs Committee of this body are being called on at an early stage in developing this and they will consider the principles of the AAUP in considering such a rather grave and destructive step.

WARFEL: The Council will recall that a document concerning Financial Exigency -- the first draft was created by myself, Richard, Bill Plater, and Dick Fredland. In fact, it has been sent to the chair of Faculty Affairs Committee and to the chair of the Budgetary Affairs Committee. As soon as revisions are made subsequent to that, it will be sent to the Council for broad discussion. In the document, as it is currently drafted, the Budgetary Affairs Committee is a very important committee in the determination of whether financial exigency exists and, if so, what are we going to do about it.

SPECHLER: Who is the chair of the Budgetary Affairs Committee?

WARFEL: William Schneider is completing the term. Pat Rooney was the chair but when he took his administrative appointment, he felt he should not continue as chair of the Budgetary Affairs Committee.

TURNER: If there is no more on that agenda item, we are very close to getting to New Business for the first time in five or six months. ~~[laughter]~~

AGENDA ITEM XIV: NEW BUSINESS

TURNER: Is there any new business? [None]

AGENDA ITEM XV: ADJOURNMENT

TURNER: We are ready to entertain a motion for adjournment. [Motion made by several] Thank you and the meeting is adjourned.

INDIANA UNIVERSITY-PURDUE UNIVERSITY INDIANAPOLIS
FACULTY COUNCIL MEETING
MAY 4, 1995
LAW SCHOOL, ROOM 116
3:30 - 5:30 P.M.

PRESENT: Administration: Chancellor Gerald Bepko, Vice Chancellor J. Herman Blake, Vice Chancellor William Plater. Deans: John Barlow, P Nicholas Kellum, Angela McBride, David Stocum. Elected Faculty: Roko Aliprantis, Patricia Blake, Zacharie Brahma, Michael Cohen, Howard Edenberg, Elizabeth Evenbeck, Karen Gable, Carlos Goldberg, Linda Goodine, Stuart Hart, Dolores Hoyt, Juanita Keck, Robert Keck, Raymond Koleski, Missy Kubitschek, James McAteer, Lynda Means, Richard Meiss, Byron Olson, William Orme, Michael Penna, Richard Peterson, Norris Richmond, Margaret Richwine, Edward Robbins, Carl Rothe, Brian Sanders, Jane Schultz, Akhouri Sinha, David Suzuki, Karen Teeguarden, Jeffery Vessely, Eric Wiebke, Patricia Wittberg, Richard Wyma, Charles Yokomoto. Ex Officio Members: Barbara Cambridge, Edgar Fleenor, Paul Galanti, Carlyn Johnson, Robert Lehnen, Martin Spechler, Richard Turner.

ABSENT: Deans: A James Barnes, Trevor Brown, H William Gilmore, Roberta Greene, Kathy Krendl, Norman Lefstein, Alfred Potvin, John Rau, Robert Shay, Donald Warren, Charles Webb. Elected Faculty: Margaret Applegate, Biagio Azzarelli, Darrell Bailey, Merrill Benson, Henry Besch, Diane Billings, Timothy Brothers, David Burr, Timothy Byers, David Canal, Lucinda Carr, Gayle Cox, Michael Dalsing, Jeanette Dickerson-Putman, Paul Dubin, Naomi Fineberg, Joe Garcia, Gareth Gilkey, Henry Karlson, M Jan Keffer, Stephen Lalka, Stephen Leapman, Eric Long, Debra Mesch, Bernard Morrel, Nasser Paydar, Rebecca Porter, Ken Rennels, Michael Sadove, Richard Schreiner, Lee Schwecke, Charles Slemenda, Jeffrey Springston, Jerrold Stern, James Wallihan, Kathleen Warfel, Jennifer Wiebke, Susan Zunt. Ex Officio: Ronald Dehnke, J Vannoy Faris, Janet Feldmann, S Edwin Fineberg, Karen West, Student Representative.

VISITORS: Barbara Albee (University Library), Karen Black (Office for Planning and Institutional Improvement), Erwin Boschmann (Faculty Development Office), Paul Brown (Herron School of Art), Alan Crist (Admissions Office), Scott Evenbeck (Undergraduate Education Center), Richard Fredland (School of Liberal Arts) Mark Grove (Registrar's Office), John Mulvey (Public Safety). Carol Nathan (Dean of the Faculties Office), Shirley Nusbaum (Dean of the Faculties Office), Gerald Powers (Promotion and Tenure Committee), William Schneider (Chair, Budgetary Affairs Committee), Eugene Tempel (External Affairs), Harriet Wilkins (Constitution and Bylaws Committee), Hugh Wolf (Intercollegiate Athletics).

AGENDA ITEM I: CALL TO ORDER

TURNER: I would like to call this meeting to order. I would like to remind you once again that, if you are going to speak, please identify yourself before you speak so that the minutes can identify you correctly.

AGENDA ITEM II: MEMORIAL RESOLUTIONS

TURNER: As the first order of business, I would like to call your attention to the three memorial resolutions mentioned on the agenda: L. Rush Bailey (Circular 95-15); William A. Summers (Circular 95-19); Jean Nicholzen (Circular 95-21). There is one additional memorial resolution which is for R. Bruce Townsend (Circular 95-23). There will be a "Celebration of Life" for Bruce Townsend on June 5, 1995. The details are indicated on the front of the memorial resolution. I would like for you to stand for a moment of silence.

AGENDA ITEM III: APPROVAL OF MINUTES: JANUARY 12, 1995

TURNER: Our next item is the approval of the minutes of the January 12 meeting. Are there any additions or corrections to the minutes of January 12? If not, they will stand as approved.

AGENDA ITEM IV: ADMINISTRATIVE REPORT

BEPKO: We have a number of things. A couple of people are going to report on behalf of the administration. Before we begin with those other reports, I would like to say a word about the 1995 General Assembly session, which concluded Saturday night. The result, I think, was good. The Operating Budget will be increased for 1995-96 by roughly four percent and the increase for 1996-97 will be five percent. The assumption of the General Assembly was that there would be tuition increases of 4.5 percent because of the strategic directions planning

process and because of some other issues such as the enrollment shortfalls that have been prevalent here in Indianapolis. The Trustees were interested in having tuition raised a little higher than the expectation of the General Assembly. The expectation of the University was that the proposal that had been made for all universities in Indiana would be funded at about what was requested. It was a very conservative and reasonable proposal. The state's funding, while good, fell somewhat short of the university's expectations. So, the University Trustees this morning at their meeting have determined to raise undergraduate tuition rates at Bloomington and Indianapolis by six percent, so that the combination of an increase in budget base plus the additional tuition income will provide a little extra funding for both strategic directions initiatives and some of the problems that we have been wrestling with these last several months. I would hasten to say that we are very concerned about what tuition increases will do to enrollments and we are very concerned about students who are in financial need. We will be looking at some possibilities for creating some new types of student assistance funds out of the new tuition income that will help students who are on the margin. We hope we can keep some in school and maybe attract some who wouldn't otherwise come because we can make a little difference for them financially. We will try to spread that as well as we can to hold our increase enrollments. We will have more about enrollments in just a moment.

First though, I would like to touch on one other point. As you have probably read in the paper, the Legislature approved the Herron/Law School project on a little different schedule than we had hoped, but we don't think it will interrupt the progress much, if at all. We think we can be pleased that we are now on track to move the Herron School of Art to the campus. They will be in this building and the Law School will relocate across New York Street somewhere between here and West Street sometime over the next three or four years. The whole project, we hope, can still be finished by the year 2000.

One other point before we go to enrollments and marketing. There are some developments with respect to intercollegiate athletics that we thought you should know about. There are no irrevocable decisions contemplated at this time, but we are at something of a turning point in our intercollegiate athletic programs. Bill Kulsrud, a member of the faculty and the chair of the Advisory Committee on Intercollegiate Athletics is here to speak about it.

KULSRUD: Thanks, Jerry. I know you have a very busy agenda so I will give you a brief update on the status of our intercollegiate athletic program, and particularly some recent developments that I think the Faculty Council should be aware of and which I think many of you find of interest.

In order to appreciate what has happened lately, I think it is important that you get a little history. As many of you know or may recall, several years ago the Athletic Department developed a long range plan concerning the direction that our intercollegiate athletic program was to go. At that point in time, it was decided that we should sever our long relationship with the National Association of Intercollegiate Athletics (NAIA), and move to the top rung of the sports ladder -- move to Division I of the NCAA. The primary motivation for that move was not that some people wanted an intercollegiate athletics program that, in fact, would enable us to compete with the IUs, Purdues, the Kentuckys, the Butlers, and all states of the world, although we clearly could do that. The idea was that by moving the program to this level it would help us achieve a number of institutional goals. Some that are near and dear to a lot of people's hearts such as identity, image, and one that is on the front burner these days -- student recruitment.

To this end, the long range plan called for us to immediately affiliate as a Division II school with the NCAA. There were some programs that jumped from the NAIA to Division I, but we thought this was the best way to make a transition from where we were to where we were going. More importantly, it would take time for us to make the changes necessary to achieve compliance with Division I standards. It also made a whole lot of sense to go to Division II because at the time we were deliberating, there was a Division II conference comprised primarily of Indiana schools, Kentucky schools, and Ohio schools that were courting us. There were some overtures made that said, "Well, it would be nice if once you guys got the Division II, then you could become a member of our conference." Some of you will remember that I came here last year with a lot of enthusiasm and excitement. We were ready to go forward to join this conference and take that first step toward Division I. Unfortunately, our application for admission to this conference was denied. We could really only speculate on the reasons for that denial, but the bottom line is that what has happened is that beginning next year we will be one of only three

Division II independents in the country. As you can imagine, that holds a number of problems and perhaps the worse problem is scheduling. Perhaps some of you saw the basketball schedule that our new head basketball coach Ron Hunter put together for next year. It was in Campuscape this week or last week. It is an admirable schedule and a tough schedule. The problem is that we have to travel all over the country in order to find Division II opponents. It is very difficult to find anybody in this area that will play us. That really is a shame when there are a number of Division I schools in our own backyard that would be willing to play us if they knew we were committed to going to Division I.

So, knowing this and knowing about the possible restructuring in the NCAA which may impose more barriers on trying to get into the big platitude of Division I, the athletic department went back to the drawing board to re-evaluate the long term plan. The end result was a proposal to accelerate our movement to Division I. The proposal is to submit our letter of intent to the NCAA on June 1 of this year to become a full fledged member of Division I as of the fall, 1997. This proposal was reviewed by my committee with a great deal of interest, obviously. We discussed very carefully the issues. Given the options and the various alternatives, we thought this was the most prudent course of action. So, at this point, we have made the recommendation that we go forward to submit this letter of intent. That is how it stands. We have given this proposal to the administration and, hopefully, with their support, we will be playing Division I in the fall of 1997.

SPECHLER: I understood that the principal deterrent of being in Division I was the requirement that you participate in something like 20 sports [Professor Spechler was corrected at this point that it was only 14 sports] and that many of those sports are lost under any realistic circumstances. Only basketball and football are revenue making. Many schools have gone this way. But, a few of them have come out financially better off because of it. Could you comment on when whether we are going to be able to field 14 sports in Division I and whether this move, based on experience, is going to cost the campus money?

KULSRUD: I think we have made that decision, Marty. In the past we evaluated and the benefits to going into Division I are not measurable in monetary terms. It is very difficult to measure benefits that you would obtain from a division I status. Like it or not, I think that what you will find is that people associate quality in an educational institution with whether or not their team appears on the front page of the sports section. If you will look at what has happened over the past two years since we have gone in this direction, we have made a lot of progress towards student recruitment, toward improvement, toward our identity, and the like. We have done a budget analysis.

WOLF: The recommendation which I sent forward to Gene Tempel, the person to whom I report as Athletic Director, contains a statement at the end that says our analysis of the economics of all of this is this. That we will spend less money as a Division I school than we will remaining as a Division II as an independent. That is one answer that I would give to the question about the economics of the situation. That is simply because the point that Bill has already made which is, if we were a Division I school today, we would have strong reasons to believe that we would be members of the mid-continent conference that includes a lot of schools like IUPUI, schools that we see as our counterparts. We have had strong overtures from that conference that they would like to have us in. It is a conference that recently has lost such markets as Chicago, Milwaukee, and Cleveland. So, they are anxious, as are other conferences, to come and be part of the Indianapolis market that we would bring as a Division I school.

On the 14 sports issue, we have been very careful on a couple of counts. One, to try to balance the economics of the situation with some political realities. We currently have nine sports -- we just added men's golf this spring. The five sports that we propose to add will not add inordinately to the budget. We are talking about cross country. We are also talking about a rifle program. Please don't get excited about that before I have time to explain. We are not talking about a terrorist squad. This is an olympic sport which would give us an opportunity to have an olympic sport. We are talking about women's soccer and women's swimming. When we are finished with this plan, we would maintain our balance of equal sports between men and women. Gene Tempel and I have spent a lot of time developing a five-year plan. We believe that it is doable. We believe we have a funding package that goes along with that, that would not create a strain on the campus financially. I can assure you that there are plenty of people who have asked those questions. So, we think the plan that we have is a "doable" plan.

We calculated how many new students, adding those five sports that I just mentioned, would bring to this campus. Gene Tempel figured that it would be something in the neighborhood of 88 students. All students who participate in the intercollegiate athletics have to be full-time students. The net difference, as best we could calculate, of adding those 88 students to the campus and subtracting what minimal amounts of financial aid that we would likely be able to offer in such sports as cross-country is something in excess of a quarter of a million dollars.

TEMPEL: When Jerry asked me to take on the athletic program a few years ago, I visited Murray Sperber, an IU faculty member who writes about intercollegiate sports. The key thing in these athletic programs is not to let your appetite get away from you. Indiana University could run all of its sports if it wanted to at probably ten percent of what they are spending on those sports now. But, they choose not to do that. The key thing is to stay at the minimum number of sports and stay at the minimum kinds of things that you can do for athletes. Another person who has been involved in this is Mark Rosentraub. He said the problem with college sports is that the costs and benefits are allocated differently. The costs come out of a central budget, but the benefits really come back to the schools where the students enroll. Just as an example, we talked this morning to the baseball coach, a person on a part-time salary. He has recruited for the fall, using nine scholarships, 40 full-time students. Among the freshmen, who are the new students coming in, not transfers, the SAT scores of those freshmen are over 1,000. Typically, on this campus, the SAT scores of student athletes is higher than the campus average and the graduation rates are much higher than the general student body. So, they become part of developing the student body here at IUPUI. There is a cost. The students are going to pay part of the cost; we will receive part of it from fund raising, and part of it will come out of scholarships; but the benefits will accumulate to us in terms of helping build the student body.

TURNER: We are going to have to move on. If people have concerns about this shift to the NCAA I, please funnel them to the Executive Committee and we will turn them over to the Athletic Affairs Committee or you can go directly to them with your questions.

KOLESKI: Is there anywhere a person can go to look at that plan and see what the costs projections are?

TEMPEL: You can come to our office.

KOLESKI: The reason I asked that question is that after coming out of the Budgetary Affairs, the last two weeks when schools are talking about cutting back on faculty members, it seems to me that in one way or another the benefit really has to pay off.

BEPKO: I think that is a good point. We do have quite a number of agenda items and as important as this is, I would like to shift gears and ask Bill Plater to talk about enrollments since Ray Koleski has mentioned the financial problems that have derived from enrollment losses. We would like to give you an up-to-the-minute report on enrollment.

PLATER: As I think everyone knows, enrollments have been a matter of major concern to us for several years. Unfortunately, I am here to report the trend of enrollment decline continues and, in part, to prepare us for the coming year. Let me say very quickly that I am talking about undergraduate enrollments. I am going to say nothing at all about graduate or graduate professional enrollments because by and large these remain stable at approximately the same level as they have been for the past few years. There is a slight increase in some programs that are planned, but essentially the graduate and graduate professional enrollments are about the same as they have been.

I would like to talk about undergraduate enrollments in two categories: The students that are new to campus and then the continuing students. The applications for new students for next fall is down about six percent at this point. The admissions are down by the same number. That is, we admit slightly fewer students than apply, but in both cases the applications and admissions are running six percent below last year. Remember, this is the fourth year of a decrease in the number of new students to our campus. The four year average for applications (from the fall of 1992 to the fall of 1995) is a decrease of about 15 percent. We obviously are affected by the loss of these new students.

The other concern that we have is the continuing enrollment of already-admitted students. One thing to bear in mind is that our retention rate of students who are new students to us and in their first or second year is about 56 percent. So, we only retain about one-half of the students who are admitted to IUPUI. The actual fall registration of our continuing students, in comparison with last year, is very difficult for us to pinpoint right now. An approximate number would probably be about seven percent behind last year. The reason that it is difficult for us to get comparative data is that we have moved to a system of continuous enrollment allowing students to enroll later. Obviously some students have elected to postpone enrollment so they don't have to pay their fees. Trying to look at all the information that we can, we are guessing that we are probably about 7 percent behind last year in terms of continuing enrollments.

When all of the data is put together--that is new applications, new students to campus, and continuing enrollments-- we think that we will be down a little over four percent for next fall in terms of student credit hours, which is particularly important because of the income associated with that figure. Headcount may vary a little, but we are expecting a significant drop. This is about 10,000 credit hours for the fall semester. Just to give you a point of reference, the Undergraduate Education Center, which is the primary supplier of undergraduates for the whole campus, had about 7,600 students in the fall of 1990. It now has (this past fall) 6,030 which is a drop of about 21 percent. These are the students who would be juniors and seniors in all the schools across campus -- not just liberal arts or science, but in business and public and environmental affairs and other schools. As a consequence, a phenomenon of enrollment decline, that has been concentrated primarily in liberal arts for the first few years, is now spreading to a number of other schools. The most severely affected is the School of Engineering and Technology. The figures I am about to cite are suspect. Bear in mind that we can't be certain because of the extended enrollment period, but currently Engineering and Technology is down about 18 percent in comparison with last year. The Herron School of Art is down about 15 percent ; Science is down about 14 percent; Liberal Arts is down about 12 percent; Public and Environmental Affairs is down about 10 percent; and other schools by smaller percentages in the single digits.

The summary statement that I would make is that the enrollment decline continues. We need to prepare ourselves by taking more aggressive action to recruit new students and to retain those that are here now. And, perhaps to consider new ways of organizing ourselves to meet what will be a severe financial burden for us for next year. I would be happy to answer any questions you might have. Alan Crist and Mark Grove are here with us, and they can provide probably more accurate information than I. First, I will ask if Alan or Mark have any corrections to make or if there is anything else they would like to add to what I have said.

GROVE: These are comparable figures which were taken at the end of the priority registration period which was about two and one-half weeks ago. Since that time we have had 1,400 more students register, but last year we probably had something like 1,100 more students register. We are still behind. The School of Science, in terms of hours, is in excess of 5,000 hours behind. While the total enrollments go up all summer, the percentages of decline will drop, but service is still something like 5,000 hours behind last year at the same point.

BEPKO: We are making efforts to improve the situation even before the beginning of the fall term. Gene Tempel is here to talk about a program that has developed out of committee work that I think some of you and many faculty from across the campus were involved in.

TEMPEL: I am pleased to work on this and to work with Al Crist, Tally Hart, Scott Evenbeck, Jim East, Mark Grove, Mike Cozmanoff, and many others on campus who are concerned about doing something about this enrollment situation.

I want to start by saying that, from my perspective, the enrollment development program has three particular aspects. First, is increasing the applicant pool. That is, finding more students who will be interested in coming here to IUPUI or express interest. Secondly, is our ability to enroll those students who actually apply, to convert the applicant pool to enrolled students. The third is what we just discussed here, retaining and re-enrolling the current students. In all of these aspects I think that all of us, each of us in this room and everybody on campus, will be involved in the activity that impacts that. That ranges from the Admissions Office to Financial Aids to the Bursar's Office, and the Registrar's Office, to academic advising and the Undergraduate Education Center. It

involves communications and public relations, parking, deans' offices, secretaries and departmental offices, and most importantly, it involves the faculty. I want to summarize the efforts to increase the applicant pool.

First of all, based on the work that Jerry cited from the Marketing for Enrollment Task Force, we undertook a marketing program to study and understand why students of different backgrounds, different places, different time in their lives come to IUPUI. What we found is that the main reason they come is because they perceive they can get a high quality education at a reasonable cost - IU and Purdue degrees here-- in the city of Indianapolis. They come because there are a variety of course offerings. There are more courses offered here than anywhere else. There is variety in the evening, weekend, and off-campus programs. They come here for professional reasons. They come here for the assets of this city and our connections to the city. So, we do have an advertising campaign that is underway. It has two particular pieces to it. It is "More is Better at Indiana's Most Comprehensive University campus." There are more degree options here from IU and Purdue. There are more quality faculty here than you will find anywhere else in the city and in the region. There is more diversity of students here than you will find anywhere else. There are more weekend and evening courses. There is more parking here than you will find at any other college where you want to go. We are going to make something out of that because, in fact, there is plenty of parking here for our students.

We have print ads running in the Indianapolis Star, Indianapolis News and the Recorder, and in the regional papers. We have others beginning to run in the Indianapolis Business Journal, the Indianapolis Monthly. We have been running ads in the high school newspapers where we have the greatest number of students attending. We are planning to run television ads in June and July on cable and the networks, again based on the demographics of the students we try to attract. There are 14 identifiable groups that we are trying to attract here at IUPUI from the study we did. We are going to use the highest concentration in television ads. Partially, we need to do this to defend ourselves and those who recruit students away from us. You may not know it, but Indiana State, Marian College, Butler University, and the University of Indianapolis are all advertising on television. Butler advertised in Time and Newsweek this past week. The colleges around us are spending big dollars on advertising. There is a cost to that, but there is also a cost to not doing that. The cost of not doing that is what we have already seen in the declining enrollments.

We have begun using more direct mail to target an audience. Al and Marshall Collins have worked together, for example, this year to do a special mailing to potential summer school students. We can get the names of all the students from Indianapolis, for example, who are enrolled in other colleges. We have invited them to come back home for summer school. We did a targeted mailing to all people in certain areas of the city who have some college but not a degree to invite them to the academic advising afternoons that you see advertised in the brochure which Al distributed here. We did a special mailing, with Mark Grove's help, to stop out students. We don't know what the total impact of that is, but again we are going to try it a few times to see if it doesn't make a difference. We have begun isolating high school students who are on the PCPAC list. There is a new newsletter designed to go to high school juniors and then stay with them through their senior year to encourage them to come to IUPUI. We have some revised and new publications in production. The Viewbook is being completely designed based on our market study. We continue to try to improve the class schedule, for example, to try to make it more "user friendly." There are two new graduate degree brochures in production right now. One aims specifically at the graduate, non-degree students. There is a small image and interest brochure in development to be a lead piece for all of these and, finally, we are working with Tally Hart's office to develop a new brochure designed to help students use the Financial Aids office properly. These are all examples of the way we are trying to be more friendly and provide information to our students.

We are doing more outreach work than we have ever done before. Al reported this week that they are going to more high schools next year, again based on some research from the ICPAC list about where interested students are. He is also increasing the number of times they go back to schools, including some late visits this particular year. We have the admissions advising afternoons to take the Admissions Office out into the community to make it convenient for people to get to the Admissions Office, but also help them fill out the forms. We have someone who is going to help us do visits to corporations to try to enroll corporate employees. We are also going to take an Admissions Information booth out to the shopping centers, office buildings, community events, downtown on the circle, to the State Fair, to Black Expo, etc., so that we can take the admissions material directly out to where

prospective students might be.

The group that I am working with is working on a one-stop admissions office here in Cavanaugh Hall where you can get assistance from all the offices. We are working with Bob Martin's office to develop a visitors' and admissions parking area in the parking lot across from Cavanaugh Hall where there be an in and out admissions office, with free parking with directional signs to make it easy for people to get there.

Al and his colleagues are also extending their office hours. Starting on May 20th, the Admissions Office and Financial Aids will be open on Saturdays from 9:00 a.m. until noon. We will advertise that to try to get people down here. Mark Grove and Mike Cozmanoff will start in the fall opening the Registrar's and the Bursar's offices on Saturdays as well.

Doing this work also requires exciting new degree programs, programs of interest to the students we want to recruit. It takes the right courses offered at the right times and the right places. Schools, deans, faculty members, and others can help us as we try to meet student interests. We can increase enrollments by strategically putting the right courses in the right places. Converting applications to enrollees-- Al Crist has already distributed a memo to deans and others about what they can do to help us convert students from being simply applicants to enrollees. I call on all of us to try to work on that. Personal attention from all of us will help increase the applicant pool and increase the conversion rate of the applicant pool to admitted students. If we are enrolling half of the students who now apply, we are down six percent, and if we can go up by 10 percent or 20 percent in the number of students who actually enroll, that will offset the decline in applications. But, our goal is to get the applicant pool up, too. That will take us a little time.

Follow up letters from deans, from advisors, and from faculty members, to students who declare an interest in your area, along with phone calls from faculty, students, alumni, and others can help. If you invite those who apply and express interest in your area to campus events throughout the year, you will have a much better shot at getting them enrolled here than if you don't pay any attention to them at all.

Re-enrolling students is also important. With Mark's help, we have asked schools to follow up with students who enroll this semester but who haven't yet registered for fall. Most of the schools are working on that either by having an advisor or faculty members calling those students. That is important to us. These students are the best shot we have at getting students here in the fall. They are already with us. Let's hope they are satisfied with what they are doing here and we can encourage them to re-enroll in the fall. Raising retention rates will have an impact on our enrollment as well. So, it is more than just an advertising campaign. We have to look at a total marketing and customer relations program to change this enrollment pattern. These are the things that we have underway. We have many more things planned.

GOLDBERG: Are arrangements being made with the shopping mall downtown for Learn and Shop?

TEMPEL: Jim East is one of the persons involved in this group that is meeting on a regular basis to develop strategies. There is a center being planned and we will have a report on that soon about the services that will be available in Glendale. There is also going to be a center like this in the new downtown mall, where you can go and enroll at IUPUI. So, on a steady basis there are three places where you can go to get enrolled at IUPUI -- Glendale, downtown mall, and here on the campus.

GOLDBERG: I was referring to attending classes.

TEMPEL: There will also be classes. There are plans for a classroom or classroom space in the new Circle Centre Mall.

PLATER: With the probable closure of 38th Street campus we will move the activities, particularly the non-credit programs from the 38th Street buildings to the Glendale mall which will give additional classroom space. We will be in two locations, but one of the offices will be on the main mall floor whereas the classrooms will be on the below grade floors. We will have the office that Gene mentioned for enrollment services. In the new Circle Center

Mall there will be dedicated space for IUPUI for classrooms. There will not be as much space, but we will have regularly scheduled classes in the new Circle Center Mall.

GOLDBERG: I have one more question about the enrollment decline. How do we compare with the other units of the system and other universities in general?

TEMPEL: I think Al and Mark might want to answer this also. We have seen institutions like ours have a decline. There is some speculation that, that is related to the economy. The enrollments have typically been tied to the economy, but as the economy goes bad, people enroll in classes to try to upgrade their skills, look for new jobs, etc. With less than one percent unemployment here, especially, some people think that the continuing non-degree students (those people who come back after graduating, take a couple of courses in accounting, or whatever) the Business School tells us they feel that very quickly when the economy gets really good. That is a part of the problem. But, that is not any reason to not keep working on this because there are students out there, there are students in the city who are not enrolling who might enroll if they knew what was available here and if we make it convenient for them to find the information.

PLATER: The other public institutions in Indiana have experienced decline during the past year. We assume that they will have similar experiences for the fall. It varies by campus. That is, the Bloomington campus did not have a decline in the fall, but they did have a slight decline in the spring. Most of the other campuses of Indiana University had similar enrollment declines and have had for the past few years. Some campuses, such as Kokomo, were more precipitous, I believe. They had an enrollment decline last year, or last fall, of about 10 or 11 percent, whereas our decline was in the order of three to four percent. So, it varies. The private institutions, I think, are about equally divided in terms of whether they have had enrollment increases or enrollment declines. Some, as you would expect, here in Indianapolis such as Indiana Wesleyan University, have had market increases in enrollments.

SPECHLER: Gene, I want to applaud what you are doing. We economists are not opposed to spending money to make money and to increase enrollment as a general enlightenment, is our business. Here are two additional ideas which other universities have done. One is, I think we should invite the college advisors from the regional high schools to come here to IUPUI. I think IUPUI is terribly under appreciated institution. Even our physical facilities have improved very dramatically in the last five to ten years. I think many advisors aren't aware of that. We should bring them here, take them to classes, and show them the small classes and the fine class of instruction that permeates this institution. Let's bring them up-to-date to the new IUPUI.

Secondly, we should do what other institutions do. When students enroll here, we can increase the interest by bringing them and possibly their parents, in some cases, here and allow them to visit classes and let the quality of IUPUI speak for itself. It has not spoken for itself up to now and I think that would be only to our benefit.

ADELE-GOODINE: At Herron we can each probably counsel a volume of 15 or 20 students. We are also able to spend as much as 30 minutes per student advising them each semester. I think that helps a lot in our retention. The biggest complaint we receive is that there is no one manning the phone in the Registrar's Office. Therefore, they reach voice mail instead.

TEMPEL: One of the things that we are trying to do with the Financial Aids Office is, with this brochure, in a humorous way, to try to help people through the phone system where they can usually get most of what they need on the phone. Again, as Bill and I said earlier today, we need a system where we do that for continuing students and make more personnel service available for the new students until they get used to what is going on here. Those are concerns and I think everyone is aware of them and they need to be addressed.

SINHA: Many of the students are working all hours and they would like to come here two or three days a week. The schedules have changed in the last few years in such a way that they have to come three days a week. Many of the students have expressed concern about this situation.

BEPKO: We have one other item to put on the table, but given the time, I think we will leave it to a public town hall meeting scheduled for May 23 at 3:00 p.m. in LE 101. The topic derives from these discussions of enrollment. It will focus on the integration of our academic programs and the Undergraduate Education Center. I think if I were to provide a foundation comment for that discussion, I would say that we not only have to explain ourselves better-- and I am absolutely clear we must do that-- we must give people better information about us, but we also have to look very closely at how we serve our students. Do we have the right general education program? Do we have the right college experience so that students come here and recognize the benefits they are deriving? This question has been discussed a lot around campus and today the discussion is focused on the integration of Liberal Arts, Science, and the Undergraduate Education Center. It is a continuing discussion and there will be a memo that has a particular proposal in it about Liberal Arts, Science, and the UEC and that will be the topic of discussion at this town hall meeting May 23, at 3:00 p.m. in LE 101.

AGENDA ITEM V: PRESIDENT OF THE FACULTY REPORT

TURNER: Kathy Warfel could not be here today. She is in a meeting in conjunction with the Trustees' meeting. Therefore, there won't be a President's Report today.

AGENDA ITEM VI: ELECTION OF EXECUTIVE, NOMINATING AND PROMOTION AND TENURE COMMITTEES

TURNER: We will move on to the next item of business which is the election of the Executive, Nominating, and Promotion and Tenure Committees. [The Nominating Committee conducted the elections]

WITTBURG: The results of the elections were as follows:

Executive Committee: Juanita Keck, Byron Olson, Carl Rothe, and Rosalie Vermette.

Nominating Committee: Naomi Fineberg, Golam Mannan (Chair 1996-97), and Karen West.

Promotion and Tenure Committee: Robert Hall (3 year term); Phyllis Stern (1 year term); and Suzanne Steinmetz (2 year term)

I believe I am supposed to ask for permission to have the ballots destroyed and that is then voted on, is that correct?

TURNER: Yes. The motion is that the ballots be destroyed. All in favor of that motion say "Aye." Opposed? The ballots will be destroyed. Thank you, Pat.

AGENDA ITEM VII: REPORT ON CUL WORK

TURNER: Item VII on the agenda calls for the actions to be taken on the IUPUI Principles of General Education. That is not what we are going to do nor is that the document that you have with you. What you received was the document that proposes a Curriculum Committee for the campus. That Curriculum Committee proposal is out now to schools. That will come to the attention of the schools and be back to the Council On Undergraduate Learning in the fall and then back to the Faculty Council before anything happens to that.

A document has been distributed concerning the principles and is being considered by the various schools. They are taking a position on that and we should have the Principles of General Education, or a version of them, ready for you by the fall.

AGENDA ITEM VIII: REPORT OF TASK FORCE ON THE STATUS OF WOMEN FACULTY

TURNER: Our next agenda item is a report of the Task Force on the Status of Women Faculty. Barbara Wilcox could not be here today so Rebecca Porter will give this report for Barbara.

PORTER: On behalf of the Task Force on the Status of Women, I appreciate the opportunity to inform the Faculty Council on our progress and the anticipated accomplishments for the Fall. Barbara Wilcox, chair of the Task Force is ill and regrets that she cannot be here today. Given the number of items on today's agenda, I will be very brief in my remarks.

The Task Force was jointly appointed by Dean Plater and Kathy Warfel. Members of the Task Force are Barbara Wilcox (chair), John Barlow, Valerie Chang, Lillian Charleston, Jerry Durham, Kathy Krendl, Lyn Means, Becky VanVorrhis, and Becky Porter.

The group was charged to:

1. Review data on the professional status of women developed by the Faculty Records Office and the Office of Information Management. (This data was to serve as a starting point for a study of how women are appointed, supported, and advanced within IUPUI.)
2. Improve conditions at IUPUI to make this a campus where women faculty can succeed professionally and, in turn, make our campus even stronger.
3. Recommend tactics for change or for longer term strategies.
4. Produce a document that can be widely distributed and discussed.

The Task Force has been diligently meeting to conceptualize the appropriate approach to respond to the change and produce a report that will best serve the interests of the women on this campus. We have examined the data on the environment at IUPUI. The committee has studied data describing the environment and institutional response at several universities including University of Virginia, Wisconsin, and Minnesota. The current Commissioner of Women from the University of Minnesota was on campus last fall as a consultant. While we had hoped to complete our charge by this point, the time spent in data gathering require that we continue in the fall.

At this point the Task Force is in the process of generating a draft document discussing representation of women, compensation, climate, professional development, and support programs. Each of these items will be discussed in relationship to our current status and how we can improve conditions to make IUPUI a stronger institution. It is our intention to complete the draft report this summer. In the fall, we will schedule opportunities for broad discussion which will be incorporated into the final report.

In the interim, as a means to enhance communication among those interested in women's issues on this campus, Barbara Wilcox is pursuing the establishment of an E-Mail listserv. Campus wide E-Mail notification of the existence of the listserv will be made as soon as the arrangements are completed.

Given the brevity of this report, I hope that I can have a few minutes to answer any question which you might have. [There were no questions]

TURNER: Thank you, Becky. Let me remind you that there is the addition of two committee reports which are not on the agenda for today. One is a report from the chair of the Promotion and Tenure Committee. The Council asked for a report by this meeting from the chair of that committee and so Jerry Powers is here to give that report.

Also, we have an amendment which is being proposed by the Faculty Affairs Committee on a position which the Faculty Council took last spring. That is just a preview of things to come. If you thought the agenda was crowded before, it is even more so now.

AGENDA ITEM IX: REPORT ON THE WORK OF THE STRATEGIC DIRECTIONS TASK FORCES

BEPKO: Very briefly, the task forces will finish their work by June 15. All eight will have reports at that time. Those reports will be compiled into a Strategic Directions document that will be published in August. It will be discussed, we hope, across the University in a variety of forums, including this one, during the fall term leading to the Trustees' meeting in December when Myles Brand would like to have the Trustees adopt a revised consensus document as the Strategic Directions for Indiana University and then it will be sent back to schools, campuses, and departments for implementation in the spring term of 1996. To create incentives for implementation, the state of Indiana has established, for the second year of this biennium, a component of the Indiana University budget that will be administered centrally by the President's office and that will be dedicated to the Strategic Directions process--some \$2.8 million in base funds. As I mentioned to you when I was talking about tuition increases, one percent of the tuition increases for all campuses for the next two years will be allocated for Strategic Directions investments. Finally, there will be a cash investment of upwards of \$10 million that will be available for addressing the Strategic Directions that come from this process. That is for all eight campuses.

AGENDA ITEM X: NEW HOME FOR IUPUI FACULTY COUNCIL

TURNER: The legislature did vote the money for the new Faculty Council building with a sauna and exercise room. *[laughter]* Well, not exactly. We are not sure where the new home of the Faculty Council is going to be. It will be on campus. You may have to wait for the agenda which comes out in September meeting, but we won't be here in the Law School. We will have more on this later.

AGENDA ITEM XI: FACULTY PARTICIPATION AT ACADEMIC CEREMONIES

TURNER: You have already received a notice signed by Kathy Warfel and Paul Eisenberg about faculty participation at academic ceremonies. Their memo suggested and conveyed a sense of urgency and renewed interest in faculty presence at academic ceremonies. One of the requests was that you make every effort to get to graduation ceremonies this year and in years afterwards.

BEPKO: I think it is important to recognize that the Trustees of both Indiana and Purdue are at our university commencement ceremony and when schools are recognized, they are on display in front of the most important people to us in the state of Indiana. If only three of the students who are graduating from your program and no faculty show up, it gives an impression to the Trustees that is not good especially in these times of financial problems. So, I think it is good to be there. It is a very important ceremony.

SPECHLER: In the department of economics we have had the program for 10 years and every fourth year some faculty members are asked to attend and it is an absolute requirement. People have accepted this. So, a quarter of our faculty show up every year and they are reminded. I don't see why we have a minimum attendance on that basis.

TURNER: I will see what I can do about that.

SPECHLER: You are in a position to do that. *[laughter]*

AGENDA ITEM XII: CONTINUED "MAJOR ISSUE" DISCUSSION

TURNER: I would like to move on to the next agenda item. It is identified as the "Major Issue" Discussion which is the draft of the Financial Exigency policy. The policy has been drafted and circulated to some of the committees of the Council. We anticipated that it would be discussed at today's meeting -- no action -- but at least discussed today. We have with us today Bill Schneider of the Budgetary Affairs Committee and Becky Porter of the Faculty Affairs Committee. We have been asked by them to not consider this draft as of yet. Would either of you like to speak to that?

SCHNEIDER: The Budgetary Affairs Committee has met three times during the past two weeks to discuss the "Draft of a policy on financial exigency" distributed in early April 1995. The committee strongly agrees on the need for such a policy and has so indicated since last fall. Current financial conditions have unfortunately made it even more necessary.

There are many good features in the draft document, such as involvement of the Budgetary Affairs Committee and safeguarding of the right to appeal; but there are also several points either in need of clarification or at odds with commonly accepted guidelines for such policies. As a result, it will require more time for the Budgetary Affairs Committee to give the document the thorough review it requires. The committee is sure that the Faculty Council will also want to deliberate carefully about such a policy.

In the meantime, and given at least the potential for financial conditions to deteriorate at IUPUI, the Budgetary Affairs Committee feels the campus needs interim guidance should the question of financial exigency arise while it is deliberating a policy. Unfortunately, we find that there are too many problems with the draft policy for it to serve that purpose. Specifically, these include the lack of agreement whether financial exigency can be declared for a single school, the conditions that warrant such a declaration, and the nature of faculty involvement at the school as well as campus level.

We, therefore, recommend that either the AAUP statement "On Institutional Problems Resulting from Financial Exigency" or the IUB policy which follows it, be used for interim guidelines at IUPUI if conditions warrant it.

Two key statements of the AAUP guidelines are:

"Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of a specified term, may occur under extraordinary circumstances because of a demonstrably *bon fide* financial exigency, i.e., an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means...

Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action, as well as of faculty status, and should therefore be the primary responsibility of the faculty or of an appropriate faculty body. The faculty or an appropriate faculty body should also exercise primary responsibility in determining the criteria for identifying the individuals whose appointments are to be terminated."

If there any questions, I would be happy to try to answer them.

TURNER: We will have something at the September Council meeting.

EDENBERG: I think despite the feeling that the draft is not perhaps ready for a detailed discussion, there are many who do have some concerns that I think we ought to express here so the committees have some feeling toward the Council as they do the drafting. With due regard to the time, I think it is really well worthwhile. I had some concerns and, if it is not out of order, I would like to express them and get feedback on them.

I have three serious concerns. First of all, it struck me as an extremely low threshold to declare a financial exigency. A three percent shortfall in a single year hardly seems to be catastrophic. It seems much too low to trigger that. In fact, I would be interested to know how many individual units on campus fluctuate by that amount. I think that is financial data that would be very interesting to look at as the threshold is discussed. Clearly, three percent in a single year seems to be incredibly low.

The second major problem is based solely on dismissal. It doesn't mention what most any organization this size does as a first regard which is offer early retirement made in such a way as to enable it to reduce its budget in the long term by making early retirement financially advisable in the short term.

The third thing, and perhaps one of the most important issues here, is that I think there is a much stronger need

for serious faculty reviewed not just of general criteria who is going to be dismissed should it come about, but rather each individual dismissal perceiving. It struck me that I would recommend the single committee on campus whose purview it is to look at general guidelines and see how they apply to individuals is the Promotion and Tenure Committee. So, I make the recommendation that any draft of this seriously consider making sure that all personnel decisions that are involved in dismissal and tenure are routed through the Promotion and Tenure Committee for their review.

There are many other problems, but in lieu of the time, I will let other people speak to this.

GOLDBERG: I would like to ask regarding the first point that has been made, although in the document it says "call for consideration," I don't think that any particular number should be considered. The main question should be whether it is temporary or permanent? It could affect morale and lead to a self-fallible prophesy. It is my impression, and correct me if I am wrong, that the AAUP document gives the faculty more of a say than the document that is presented to us.

SCHNEIDER: It is more explicit. Part of the problem has to do with spelling out more clearly the nature and, it also has to do with the question of the school versus the campus. That, however, is another one of the major points that our committee has identified -- this question of whether a school can declare financial exigency. The committee agreed unanimously in finding it very difficult to accept that for not only because of the AAUP guidelines, but also given the way Responsibility Center Management works. Responsibility Center Management does make this campus somewhat different, but not to the point of permitting that.

ORME: I didn't see anything in the document that expressed how long a declaration would last. What is the condition of financial exigency?

SCHNEIDER: The only reference I know in the AAUP guidelines has to do with, I think, a three year period during which there are special conditions for any new hiring.

PLATER: No one can be hired in that unit unless the person who is terminated is offered an opportunity for re-employment. So, I would assume that three years is the timeframe for which the financial exigency policy would be in effect.

Could I comment on a couple of things? I think Bill is correct in calling our attention to a fundamental issue that this body needs to address. There is a difference between AAUP guidelines and what we have here, and that is the existence of Responsibility Center Management and whether or not financial exigency is to be within the Responsibility Center or campuswide. It is very difficult to reconcile the notion of Responsibility Center Management with campuswide financial exigency. That is not to say that it can't be done, but the two premises are really quite different and that is something that this body and others need to think about very carefully as we come to terms with a policy. This policy that you have, which is a draft, was prepared from the perspective of saying that financial exigency could exist within a Responsibility Center without it being entirely campuswide, though provisions for discussion or consultation on a campuswide basis are built into it. But, as you review documents and as you think about it, I would urge that you give some consideration to this issue of how we manage Responsibility Center Management with campuswide financial exigency.

The other point that I want to make sure everyone understands is that the reason we have this policy was not to deal with the financial problems of our campus. It began several years ago with the development of a series of policies for the dismissal of tenured faculty. You will find that the rationale and logic for this document follows from two other discussions we have had about dismissal for misconduct and for incompetence. This draft was viewed as the third step of that overall comprehensive document for the dismissal of tenured faculty only. There is much more to be said about managing financial crisis and financial situations than one could contain in this document. But, it is intended to address that specific point of what happens if a tenured faculty member must be dismissed because of financial issues.

SPECHLER: Bill, I really feel that this document, the draft of April 3, is unacceptable in its present form though

it certainly could be the beginning of the discussion. I think we did exactly right in calling for the use of the AAUP guidelines on an interim basis. If we were to use the draft of April 3, I think we would call down on ourselves the censor of the AAUP and law suits and it would also do great damage to the reputation of Indiana University, and IUPUI in particular. There are a number of issues, and I think Dean Plater certainly put his finger on the key one which is the connection between Responsibility Center Management or budgeting and the possibility of financial exigency at the school level. The problem is that, while we do have Responsibility budgeting, we don't have a commensurate authority at the school level. On many occasions the decisions have to be made at higher levels for the school which has cost the school a great deal of money. This goes beyond the matter of the assessments which are imposed on the school largely for justifiable reasons, but certainly are not under the purview of the school. So, I think that at the very minimum the Budgetary Affairs Committee has to appraise and agreed to _____ the high and rising assessments and decisions made outside the school for the school have been the cause of financial exigency. My conjecture is that, that would be part, but only part, of the answer. But, we certainly cannot accept the idea that financial exigency is entirely a matter of the schools' independent management because there is no such independent management.

One final point in addition to Howard's very good comments with, which I agree, is there is no provision in the draft of April 3 for a situation in which the being of a school refuses to declare financial exigency believing that it doesn't exist. Certainly, the three percent rule is sufficient and a being might well believe that given time and remedial attention, a financial situation could improve. So, that is one of several deficiencies in the draft of April 3 which I believe that, that not be the basis for this policy in the immediate future.

PORTER: I want to speak on behalf of the Faculty Affairs Committee to indicate that, that committee is also discussing the document and believes that the process of declaring a condition within one budgetary unit is one that requires very careful consideration. The Faculty Affairs Committee intends to continue discussion in concert with Budgetary Affairs Committee as we bring this forward.

KOLESKI: Briefly, Dean Plater said that at the present draft of the financial exigency comes out of the dismissal of tenured faculty. That is quite true. It follows the other two sectors. In one sense, if one talks about financial exigency, one is really talking about something is much larger than simply dismissal of tenured faculty. One is talking about the academic areas of the university, the service areas and the administrative areas as well as tenured and non-tenured faculty members. The future of this university in many respects is going to rest with some of the junior faculty members. So, we have to be as much concerned about them and their departure from this particular campus as for ourselves ; most of us being tenured faculty members. In that sense, it seems to me that we are talking about one form of reducing costs which is departure faculty members, but there may be many other areas. So, I see the financial exigency issue as being much larger than just simply this issue alone.

KUBITSCHKEK: I too would like to use the AAUP as the interim document. One of the problems with this draft, it seems to me, is that I am never clear what "reviewed by," or discussed by" means. The word "review" is like the word "consult" as it can cover a multitude of activities. It is not like "must be approved by." I am uncertain where a great deal of the decision making lies in this draft.

I am also concerned about planning some but not all tenured faculty in a unit and approving _____ to do that. I think that there are very many criteria which sound fair and are constructive to do away with inconvenient one or two faculty. Something needs to be done about that. As to the part at the bottom of page talking about retaining untenured faculty while _____ tenured faculty _____ unit. I don't quite understand what tenured means under those circumstances.

TURNER: You need to get your concerns, comments , and observations to the committees. The recommendation of the committee is that in the interim, should a financial exigency happen between now and the fall, that the draft policy not be used as a model and that, but that the AAUP policy be used. I don't think that we can act on this today, but that recommendation has been made. I don't know that there is anything else for us to do today with that. The committees will be working on that in preparation of presenting this next fall.

AGENDA ITEM XIII: STANDING COMMITTEE REPORTS

TURNER: We have three committee reports that we need to act on. The first is an amendment from the Constitution and Bylaws Committee. I would like to ask Harriet Wilkins to come forward and conduct that discussion.

WILKINS: The amendment is the next to the last page in your agenda. Before I make some comments, let me tell you for sure what is in boldface. I have discovered that sending things by fax doesn't do a good job with boldface. In Item IV, the word 'Preliminary'; 4.a. 'Preliminary'; 4.b. 'to obviate the need for a formal hearing by facilitating communication toward a mutually acceptable solution'; e.1. Everything from the end of the third line on to the end beginning with: 'that includes a copy; f. All of f. and all of g. are new. These are proposed additions. In 'h' the report and a statement that a Formal Hearing has not been requested shall be sent to the President of the Faculty and the Chancellor of IUPUI within thirty (30) days. That 3 should be 30. Those are the items which are in boldface to be added.

Let me make some comments about where this comes from. This is, as you can tell, a proposal for addition to the section of the Bylaws that has to do with the work of the Faculty Boards of Review. We are trying to clarify two things: (1) the relationship between what in the past has been called the "Informal Hearing" and the "Formal Hearing" to make clear what the roles of those two activities are; and, (2) to clarify the nature of reporting that is to come out of what we are proposing to call the 'Preliminary' Conference. There has been some ambiguity in the language that existed in the Bylaws before about the nature of the report that was to come out in those cases when the Preliminary Conference was not able to find a mutually acceptable solution to the problem. So, the language that you have before you makes an effort to say the purpose of the Preliminary Conference is, and b. is the place where that is stated most explicitly. What we hope will happen with the Preliminary Conference is that we will not have to have a formal hearing, that it will be possible for the Preliminary Conference by the Board to help the parties come to a mutually acceptable agreement. So, we tried to make that clearer in 4.b.

On the second page in f., g., and h., to deal with the issue of reporting. A couple of things concerning that. One is that the language before made it sound like there was going to be a report of findings. It was the opinion of the committee that this perhaps could lead to the sense that, if there wasn't a Formal Hearing, this might not be as fair and open as perhaps it needed to be. The proposal is that, if there is a Preliminary Conference which is unsuccessful; let's make it clear that we think a Preliminary Conference that is successful is one that creates an agreeable solution; but if there is an unsuccessful Preliminary Conference, that is the report that comes from that. The Board of Review would state that they have been unsuccessful. Then either the Board or the Grievant may then request a Formal Hearing.

The other piece in here is that it makes clear that the Grievant has the right to request another Board to conduct the Formal Hearing. The Grievant does not have to do that. The Grievant may go ahead to a Formal Hearing with the Board that sat for the Preliminary Conference. The Grievant has that right; however, if the Grievant requests that another Board do the Formal Hearing, there would not be a repetition of the Preliminary Conference process. You would only have one Preliminary Conference and then, if the Grievant so desired, they would go immediately to a Formal Hearing whether that was with the same Board or with another Board. Therefore, on behalf of the committee, I move the adoption of these amendments.

TURNER: The motion is on the floor for discussion. Are there any questions?

GOLDBERG: I just wanted some clarification. I have two circulars; one is 95-20 and the other is 95-22. Are they the same? Circular 95-22 was sent by Kathy Warfel.

WILKINS: I haven't seen that one but apparently Circular 95-22 has the shading whereas Circular 95-20 simply has the shading for the language that is to be added. Otherwise, they are the same.

GALANTI: Harriet, I would like to make clear that I think with respect to a grievant's right to select a second or different Board of Review in order to have a Formal Hearing, you said that was to make clear..., I think this is a major change. I think up to now a grievant has not had a right to a second Board of Review if the grievant was

not happy with the results of the Preliminary Conference. I would like to make clear that this is a major change in the approach that we are taking. I think members of this committee felt that, as we have more and more procedures where tenured faculty can be dismissed, it is important to bend over backwards to protect our rights. Therefore, we have added this right. We have made this change to select a different Board of Review. It adds work to the Boards of Review, admittedly. I don't think it represents any right the faculty have had up to now.

TURNER: If there is no more discussion, then we can move to a vote. All in favor of the proposed amendment to the Bylaws, say "Aye." Opposed? The amendment is adopted.

ROTHE: I was wondering if this would be circulated to the faculty during the summer.

TURNER: It will be circulated as soon as possible. Next, I would like to get the report from the Promotion and Tenure Committee. Gerald Powers will present this report.

POWERS: I very much appreciate having the opportunity to report to the Faculty Council the activities of the Promotion and Tenure Committee for the 1994-95 academic year. As a direct result of actions taken by this body during the past couple of years, we have entered a new era with respect to the handling of promotion and tenure decisions at IUPUI. A number of "firsts" have been established that are worth noting at this time. For the first time in the history of this campus, the responsibilities of the Promotion and Tenure Committee were combined in a single committee. It was the first time that a member of the faculty was elected by the members of the Promotion and Tenure Committee to serve as its chair. It was also the first time that librarians were reviewed for promotion and tenure within the same collegial structure as faculty. In addition, for the first time, the Promotion and Tenure Committee had the opportunity to review a dossier sent forward on the basis of the "balanced case." And finally, the Committee has taken on the added responsibility of reviewing the methods currently in use at the school level to establish primary and unit promotion and tenure procedures to assure compliance with University policies and procedures. In the coming year, the Committee will take another significant step when, for the first time, the Promotion and Tenure Committee responsibilities of the Purdue Panel E will be combined with those of the IUPUI Promotion and Tenure Committee. That event will represent a significant benchmark in the Indiana/Purdue relationship on this campus.

Despite the fact that the Committee was setting rather than testing precedents with respect to all these changes, I can report to you that the process seems to work as intended by the Council when it approved these measures last year. Part of the credit for the effectiveness of the process is due to Bill Plater's assistance and support throughout the transition period. (And when I mention Bill, I also want to give credit to the central role that Shirley Nusbaum played in facilitating the process from beginning to end.

With respect to the actions of the Committee itself, I would like to give you a general breakdown of its decisions as they relate to both promotion and tenure. The actions of the Committee can be classified as falling into four general areas: promotion only cases, tenure only cases, promotion and tenure cases; and volunteer or part-time clinical/adjunct promotion cases.

- In total, the Committee reviewed 133 dossiers for either promotion and/or tenure;
- Of the 86 tenure track faculty reviewed, thirty-nine (45%) were considered for promotion only;
- Thirteen (15%) were considered for tenure only;
- Thirty-four (40%) were considered for both promotion and tenure;
- Seventy-three tenure track faculty were reviewed for promotion - 32 for Full Professor/Librarian , and 41 for Associate Professor/Librarian;
- As to the areas of "Excellence" put forward by the candidates themselves, 30 went up on teaching, 49 on research, 27 on service, and 1 on a "balanced case;"

- Seventy-seven percent of the total number of faculty/librarians reviewed were male, and twenty-three percent were female. There was a total of eleven minority applicants among this group.
- Finally, of all the candidates reviewed for promotion and tenure, five were denied promotion and one was denied tenure.

A more elaborate version of this summary was prepared by Dean Plater's office, a copy of which has been forwarded to the President of the Council. The figures I just reported are based on that report. Finally, I would like to express my appreciation to the members of the Committee for their tireless work throughout the month of January and into February. I consider it a privilege to have been elected by them to serve as Committee Chair during this seminal transition period. If you have any questions, I will be glad to try to address them at this time. Thank you.

CAMBRIDGE: I just have a comment. I think there are many myths on this campus about promotion and tenure. That is, how many people go up in different areas and how many people are successful in different areas. I think the report that was prepared by Bill Plater should come to the Council. I think it should be distributed very widely. I hope that there can be a way figured out to get that into the hands of as many people as possible.

SPECHLER: I have two questions. First, about balanced case that attracted this assembly's attention about one year ago. You only reported one such case. Do you see any difficulty in developing these cases? Do you anticipate that the balanced case will be more common in the future or that any of the dossiers that were brought before you might have been better presented as balanced cases? That is my first question.

POWERS: As to the first part of your question, my guess is that, as that becomes better known and as a few cases go forward and test the waters on it and, depending on how they float, whether they succeed or run into difficulty, it may or may not encourage others to go the same route. The one that went through I think the committee felt very comfortable that it was a good representation of what a balanced case might look like. There were other cases that we considered, as I mentioned earlier, in addition to the one or, in a couple of cases, two areas where the candidate herself or himself indicated the area of excellence. In some cases the committee felt that the candidate looked very strong in areas not identified as excellent, and so stated as it went forward to the next step which I think is the Chancellor's level. Inevitably, when you talk about cases and review them, this issue does come up and gets into the conversation that, "Boy, this looks like a case that might have been sent forward as a balanced case. It looks as good balance across" and its hard to discriminate. In some cases, some members of the committee feel that in all three areas the candidate is stronger than adequate and maybe struggle a little with establishing that they are excellent in any one. Whatever the operational definition of balanced case, I guess it falls in between those two extremes, although I guess that is why you have a committee to make those value judgments because it is not operationally defined. I have been impressed, having served on the Promotions Committee. I believe about 12 or so of the 17 years that I have been here that the process has been indicated that the debates and the discussion that goes on is listened to by the members and in some cases it dramatically influences the course of the discussion when people share their perceptions, particularly on the so called "controversial" cases where there has been a flip flop at some level along the evaluation route. My guess is that it will become more common as the waters are tested on that.

SPECHLER: Another issue has to do with time scheduling for presenting dossiers for tenure and promotion. I am sure you are aware that time pressures have become more tense in recent years. My own experience with Liberal Arts is that the primary committee in the first instance who considered this has been pressured to produce a result in a shorter time than was done in the past. That, indeed, we must begin the very first day of classes to consider dossiers that were due in the summer. We did this with some difficulty. My question to is, whether this perception of time pressure is widely felt. I wonder if you have seen any way to relieve the time pressure to give people a chance to read the materials and make a fair judgment in view of their other responsibilities?

TURNER: Speaking of time pressures, if we could get a short answer on that, Jerry, and then we have to move on.

POWERS: I think the answer is yes. Other schools are feeling that, I believe. For the first time this year we reviewed each unit's promotion and tenure policies and procedures, for one thing to make sure they are in conformity with university policies, but part of what is emerging in a lot of schools is the third year review. In a very rigorous sort of way, and if that is done well and people pull together their materials, they are essentially setting in motion the process that will take place toward the end. If they keep those dossiers and portfolio materials together and add to them, then I think it could be in each unit moved forward and handled in a more timely fashion.

TURNER: We have one more item to complete. The Faculty Affairs Committee has brought to us IUPUI Circular 95-21, but is more properly understood as 95-21a.

PORTER: If you will recall, when we had the discussions about combining the promotion and tenure committees, the Council adopted a statement directing school faculties to go back and look at their bylaws on the appointment /election of promotion and tenure committee members. In that statement there was a statement that members of primary and unit committees should hold the rank of professor. Concerns were generated within the Task Force on the Status of Women. Those concerns were brought to the Faculty Affairs Committee and the Faculty Affairs Committee is recommending that we add a sentence. The sentence to be added would state ~~schools should seek diversity of representation on primary and unit promotion and tenure committees.~~ That is a motion.

TURNER: You have a copy of it in front of you. Is there any discussion on this?

KOLESKI: I look around this room and I see a diversity of (could not understand) and it seems to me that if we are going to be consistent, what happens is that there is a chronological way in sense of the people rising to the top at this particular point where people who have worked their way up over a long period of time, but it would seem to me that in relation to the kind of population that we have, that it becomes very, very important that we seriously consider this amendment. As somebody who would be very consistent with essentially what Dean Plater talked about. We

GOLDBERG: In other words, you would still have to be a full professor to be on the Promotion and Tenure Committee. Is that correct.

PORTER: The language adopted said "to the fullest extent possible" individuals should hold the rank of professor. The reason that the phrase, "to the fullest extent possible" was added is that in some academic units it would not be possible to seat a committee that was entirely full professors. With this amendment there would be two directives to be considered. One is full professorship. Another consideration is diversity. I don't believe that the language necessarily says how the school is to reconcile both of those directives.

ROTHER: As it reads now it says 'should'. If it said 'shall' instead, I would be very concerned because it does give a little freedom. I am very concerned that a particular professor would be permanently on this committee because that could also lead to problems.

ALIPRANTIS: I make a motion that we table this very important issue.

TURNER: We have a motion to table this issue. Is there any discussion of the motion to table it? [none] All in favor of tabling the motion, say "Aye." Opposed? Let's take a hand count. The count is 16 in favor of tabling the issue and 18 against tabling. The motion fails. We are back to discussion of the motion. Is there any further discussion on this? All in favor of the motion, please indicate by saying "Aye." Opposed" The Ayes have it. The motion passes. Thank you, Becky.

We have two more minutes and if I could remind you that on June 1, when you have a strange kind of uneasy feeling, it won't be because you over did it on the holiday weekend. It is because it is the first Thursday afternoon you don't have a Faculty Council meeting. *[laughter]* This is the last meeting and I thank you for all of the work you have done this year, and certainly for the cooperation you have given Kathy and me. I would especially like to thank those persons who are going off the Council. We will miss you and thank you for all the good work.

AGENDA ITEM XIV: QUESTION / ANSWER PERIOD

Due to lack of time there were no questions.

AGENDA ITEM XV: UNFINISHED BUSINESS

Due to lack of time there was not time to discuss this agenda item.

AGENDA ITEM XVI: NEW BUSINESS

Due to lack of time there was not time to discuss this agenda item.

AGENDA ITEM XVII: ADJOURNMENT

TURNER: I would entertain a motion to adjourn. [motion made] The meeting is adjourned.