

**INDIANA UNIVERSITY SOUTH BEND
MEETING OF THE ACADEMIC SENATE
JANUARY 21, 2000**

Members Present: Sushma Agarwal, Douglas Agbetsiafa, Peter Aghimien, Sanjay Shire, A. Wayne Bartholomew, Elizabeth Bennion, James Blodgett, Linda Blodgett, Diane Bradley-Kantor, Merribeth Bruning, Peter Bushnell, Richmond Calvin, Joseph Chaney, Yi Cheng, Thomas Clark, H. Daniel Cohen, Louise Collins, Richard Cook, Michael Darnel, Oliver Davis, Jr., Joanne Detlef, Constance Deuschle, Teresa Dobrzykowski, Reza Espahbodi, Mark Fox, Frank Fujita, Patrick Furlong, Lawrence Garber, Alfred Guillaume, Karen Gindele, Jennifer Good, Ann Grens, Gail Hadley, Charles Harrington, John Herr, Jerry Hinnefeld, Geraldine Huitink, Paul Joray, Neovi Karakatsanis, Mike Keen, Beth Kern, Gary Kern, William Knight, Suzanne Konzelmann, John Lewis, Eleanor Lyons, Marta Makielski, Gail McGuire, Johnny McIntosh, Patricia Neal, Jamshid Mehran, Gwendolyn Mettetal, Thomas Miller, Elizabeth Mooney, Mary Moretto, John Mortimer, Raman Muralidharan, Scott Opasik, Marian Pettengill, Charlotte Pfeifer, Charles Quinn, Victor Riemenschneider, Cristina Rios, Kathy Ritchie, Michele Russo, Sara Sage, Pankaj Saxena, Margaret Scanlan, Elizabeth Scarborough, Paul Schnur, Roy Schreiber, Dmitry Shlapentokh, Kevin Smant, Kenneth Smith, Cynthia Sutton, Monica Tetzlaff, Rebecca Torstrick, David Vollrath, Lesley Walker, Lynn Williams, Nanci Yokom

I. Administrative Reports

- A. Welcoming Remarks, Chancellor Perrin was attending the meeting of the IU Board of Trustees in Bloomington and unable to attend Senate meeting.

Academic Affairs Report - Presentation by Vice Chancellor Alfred Guillaume

Good morning. Dr. Calvin said I had to spend a long time talking with you. Whenever someone from California comes before you and says he brought California weather to Indiana, you can run him out of town! Briefly, what's been going on in Academic Affairs. Wednesday, we started a process that is relatively new to campus, on how we construct the budget for Academic Affairs. Unlike in the past, the Academic Cabinet is having hearings from each of the academic units, relative to its budget. Once that process is completed, the entire Academic Cabinet will set the priorities in budgeting for Academic Affairs. At which time, I will present the Academic Affairs budget to the University Committee. We believe this process allows us as a unit to understand each others budget, to understand what each others priorities are, and to reach some shared consensus and decision-making relative to the priorities. We have asked each budget director to be honest and open about their budgets, that all matters for discussion need to be on the table, and that decisions relative to the budget will be made at the end, when we have a chance to establish those priorities. We had our first meeting on Wednesday that went well, it was half presentation and participation to the members of the university budget committee. At these discussions there will be people there participating and asking questions.

The last time I spoke to you, I also mentioned that we were in the process of responding to Miles Brand and to Kenneth Gros-Louis, on the progress we have made on General Education. As you recall, I also said to you that you would have to trust me that I would be giving a very positive response to Indiana Bloomington, about the progress we have made. We haven't made much progress since I sent my report, but I can tell you my report was very positive. I did say that we are about the business of revisiting General Education requirements. At that time I had not yet had a committee, and I had not had a chair. There is a committee that has been appointed from last year, but that committee has not been given a charge yet or has not convened formally. We are in the process of looking at that committee composition, and perhaps making changes or adding to it. At the same time I am also in conversation with one of our colleagues, to chair that committee. So hopefully the next time I come before you, I can tell you more about who the chairperson is, who the members of the committee are, and what their charge may be. I

did give to Kenneth Gros-Louis about a time frame that could happen at the university. I'll have to walk backwards now, as I did tell him that we hoped to have a new General Education core in the Fall of 2002. By the Academic year of 2001-2002, we would have a framework of a core in place for us to discuss next year as a faculty. So by the year 2000-2001 the committee would be active in its work. That is the timeframe I did pose to him. That time frame is flexible, as IUB has not given us a definitive time frame, and that can be adjusted.

The last issue I wish to tell you about is the North Central Accreditation Self-Study. I said that would be completed by February 1, for distribution to the complete faculty. We are very much on schedule. We might be two or three days late with that, but we are in the process of rewriting and toning up some of the chapters, by putting the appropriate charts together, as we want to document to reflect one voice. I am very pleased with the results that I have so far. I have had a strong committee in the persons of Paul Schnur and Elizabeth Scarborough who have worked diligently on that work. By the first week of February, we should have that document for your consideration and comments. Are there any questions? No response.

Student Services - Presentation by Acting Vice Chancellor of Student Affairs, Richmond Calvin

1. Concerning Student Enrollment - As of yesterday, Thursday, January 20, 2000, our enrollment in terms of head count is down by 40 students. We went from 6,648 students to 6,608 students. With respect to credit hours, we had a decline of 136.0 hours.
2. Career Management Services requests that all graduating seniors be encouraged to take advantage of their services to facilitate a smooth transition from IUSB to the workplace.

Please encourage seniors to seek services available in Career Management.

Services available include: interview preparation, interest testing, resume critique and resume referral.

3. The Counseling Center will offer free eating disorder screening as part of National Eating Disorders Screening Day on Wednesday, February 16, from 10:00 AM to 5:00 PM. Students, staff, faculty and their family members can stop by to receive a confidential screening and/or other information on available services.

This semester, the Counseling Center will be offering free depression and alcohol screenings on Mondays, Tuesday, and Thursdays from 11:00 AM to 3:00 PM.

4. Athletics: Please support the Saturday, January 22, 2000, double header basketball game to be held at Brown Middle School. The Women's basketball team plays at 1:00 PM and the Men's team plays at 3:00 PM. Please make an effort to support our teams.
5. The deadline for faculty to nominate students for Who's Who in American Colleges and Universities is January 27, 2000. Please submit nominations to the Office of Student Life Programs, Administration Building, Room 123.
6. February is Black History Month. Please contact the Office of Campus Diversity for information on events planned. The Asian American Spring 2000 Film Festival for this semester starts on Wednesday, January 26, at 7:00 PM at Wiekamp Hall 1001. I encourage faculty members to support both of these events and perhaps give extra points to students for participating in these activities.

7. Seventy percent of Freshman Division new Fall matriculate population have earned a 2.0 GPA or higher, compared with the Fall 1998 when only 62 percent earned a 2.0 GPA. This is a significant improvement. Ask Christine White if you have any questions.

Questions

Q - Dr. Cohen - Those declines in enrollment, are they predicted from last Spring? How are they relevant to projections made of the budget deficit this year. I've heard several speakers on that and my presumption was that some kind of enrollment projection was used to base budget on. Can we get a report on the status of the budget deficit?

R - Dr. Calvin - You would have to ask Mary Ann about that. I'll share that with the Chancellor when I see him.

R - Dr. Guillaume - The budget that we have for the enrollment in the Spring is based upon the numbers that we had predicted for the spring semester. So the budget deficit predicted from the Fall numbers has not occurred and may be made up by the Spring enrollment.

R - Dr. Calvin - Are you asking if our budget deficit had something to do with the student enrollment?

Q - No

R - Vic Riemenschneider - I'll ask our budget committee to come forward with a report.

- II. Call to Order and Approval of minutes - Senate President Vic Riemenschneider

A Quorum is present, therefore the January 21, 2000 meeting was called to order.

Please note that the Nominating Committee needs additional volunteers to fill all positions and balance the representation on the Executive Committee, the P.T. and R., Athletic and Faculty Board of Review. Please see Louise Collins, Jerry Hinnefeld, or Marta Makielski in you are willing to put your name in for these positions. The Nominating Committee will report at the February meeting, as that is the time of our elections.

Minutes of the December 10, 1999 meeting were placed on the Condor--Shared (W) drive in the AcadSenate folder under minutes on Tuesday, January 18. Are there any corrections? No corrections or additions.
Minutes approved.

- III. **Memorial Resolution for Frank X. Steggert** who died last year. Professor Hojnacki volunteered to write and read the resolution at the November meeting, but as if was canceled and he is on sabbatical, it will be read by Professor Herr. See Attachment A.

Motion to adopt the Memorial Resolution for Frank X. Steggert.

Motion - D. Cohen. Seconded.

Motion carried - Memorial resolution for Frank Steggert **Senate Resolution 2000-1.**

Are there any members of the family present? No response. Thank you Professor Herr for reading the resolution and thanks to Professor Hojnacki for writing the resolution.

- IV. **Committee Reports**

- A. Executive Committee nomination for all-campus TERA Awards Committee. We tried to balance the committee at the same time we wanted some of the winners from the

past two years, knowing they could not apply for the award this year. The nominees are:
Daniel T. Holm, Education
Katherine Jackson, Business and Economics
Betty Mooney, Sociology, Associate Faculty
John P. Russo, Mathematics and Computer Science
Christine White, Nursing

Are there any additional nominations for the all-campus TERA Awards Committee? If not, is there a motion to accept the nominations?

Motion to accept the nominations of the Executive Committee for the TERA Awards Committee.

Motion to accept. Seconded.

No discussion

Motion carried - **Senate Resolution 2000-2**

B. Campus Directions Committee Resolution on Community Colleges

All campuses of IU were asked to develop a response to the Indiana Community College initiative. The Campus Directions Committee, after consultation with faculty, Deans and other administrators, developed the response statement attached to the revised agenda sent by campus mail. First, I commend the committee for its work. In order to discuss this statement, we need a motion. Is there a motion to adopt the response drafted by the Campus Directions Committee as a position statement of the IUSB Academic Senate?

D. Cohen - It comes to the floor already moved and seconded as a recommendation by a standing committee.

Discussion - I'll turn it over at this time to Professor Herr to give you a brief discussion of the motion.

Professor Herr - I want to say a couple of things. I had a very very good committee who made outstanding contributions to this work. To tell you a little about how it came about. In the Fall, Chancellor Perrin asked if I would meet with him for lunch with Vice Chancellor Bepko, from Indianapolis, Vice Chancellor Guillaume and the Chancellor. I was told the university had to have a response to present to the legislators by November 1. The Chancellor asked that our committee take the lead on that, and we negotiated at that meeting for more time, as I didn't think we could have a response by the first of November, and as he wanted significant input from the faculty, and didn't think that could be done by the first of November. Therefore, we managed to extend the deadline to the first of the year. I met, and some of the committee members met with the Dean's Council, Academic Cabinet. Then we met with Vice Chancellor Guillaume and Chancellor Perrin to seek their comments as well. We wanted to make this a positive statement. We weren't necessarily enthused about the Community college Initiative, but we want to place our comments in as positive way as possible. We wanted to make it clear that we weren't going to go in a completely different direction, but rather to emphasize the things that we were doing well, and things that we could do better. We also put it in the context of the four campus priorities. So what you see here falls clearly into the four campus priorities, and each initiative we have identified relates to those priorities. This is a work in progress. We have already sent it down state where Professor Vollrath and the Chancellor presented it to a group of Chancellor's who meet on a regular basis and who liked it enough to suggest it as their template for other university responses. We've made some minor changes since then. We would like your comments and Vic we would like your approval. I am open to questions.

Q - Professor Garber - Bear with me as I will try to identify the right bullet statement.

It reads “To make joint appointments to instructional positions where appropriate”. Could you explain that to me.

A - A lot of these are things we thought we might want to explore. We aren't committing ourselves to something very specific at this point. We thought when Ivy Tech may be looking to hire faculty to teach writing programs, and those students are hoping to transfer here, some joint participation in screening people for positions such as those, we thought it might be appropriate that we would like to participate in some of that and have some impact upon the people who are hired by Ivy Tech. That whole section is a ticklish issue we discussed at length, not wanting to interfere with the procedures of Ivy Tech, yet neither do we want to give up our control over our practices here. We thought it might be possible to work with them about some of those issues.

Q - I think what you address there and in the section:
“Provide assistance in hiring personnel in administrative, teaching and support services for community colleges in our region”. Is what you mean that we are talking about hiring a faculty member who has a joint appointment at Ivy Tech and IUSB?

R - We changed language and talked about this. I think we were thinking more about non-tenured instructional appointments in what is perhaps Introductory Writing courses and things like that. Where they are going to be teaching some of the same things and then want those people to transfer here.

Q - Professor Garber - Are you saying that people with a joint appointment would teach over here and at Ivy Tech?

R - Not necessarily. Perhaps, but not necessarily. This is an area where we thought we might want to do somethings, but we're not wanting to commit ourselves to do anything specifically but to discuss with them issues of staffing that are a joint concern - in particular staffing of courses that would ultimately transfer here.

Q - Maybe the problem is it seems to commit us to something. Perhaps a change in a word may make this more comfortable.

Q - Professor Garber - I think it's the way it is currently stated is an unworkable situation. You are asking a faculty member to report to two different boards, two different trustees, and who are reappointed by two different administrations. Who would determine the fringe benefits, contribution to a retirement fund? I don't think it would be right for an individual. My recommendation would be to delete this statement entirely from the document. If I'm in order, I would like to make that a motion - to delete this statement.

Motion to delete the line that says “Make joint appointments to instructional positions where appropriate”.

Second Professor Hinnefeld.

Discussion

R - I am supporting the amendment - I think where you say “Cooperate in joint training and faculty development programs” and “Provide assistance in hiring personnel in administrative, teaching and support services for community colleges in our regions” - I think those are both appropriate. The joint appointment issue is just so problematic. Later on if we decide to do something but raising the point at this time is premature.

R - It is not unheard of that there are cross-institutional courtesy appointments. That may be what whoever proposed this - that really wouldn't require any formal arrangements. That perhaps

would be what we could explore, but beyond that there are other instances they don't seem to make a great deal of sense.

R - I'd like to second that it is common to have courtesy appointments for some joint teaching or sharing of faculty to teach a course that would be taken by both students from both campuses, as a faculty you need to have a courtesy appointment. But to take this sentence out closes the door for what might need to happen - or explore some other wording in accord with others are saying.

R - What we do pass here sets us on a pathway for what we will be doing in the future. We can come up with things in the future. I think we have all taught Ivy Tech students in our classes. That's been a part of our practice for a long time.

Motion carried - One opposed

R - Professor Cohen - There are many other details in here that cause me trouble. Why are we doing this? With respect to the committee, and Paul, I'm sure the committee was doing what they were expected to do and doing a fine job. Last time we talked about Community Colleges we felt threatened and were concerned. Even more importantly, a reasonable study of data shows that more community colleges will do nothing for Indiana. We are up in the national norms. The problem is once they get their degrees, because there are no opportunities for them. This is not going to be solved by the community college. The nation rates our public schools as terrible. There is lots of data that shows students who go to a four year college graduate at a higher rate than those who go to a two year college. Perhaps in order to smooth the backs of the legislators, the administration had to come out with this document. But we are a faculty and we have a different role. We should uphold intellectual honesty.

R - The document feels supportive in a heavy way. Did you feel forced to say "good" things?

R - Professor Herr - A couple of things. The committee didn't want to promote a sense of the community college, but we cannot change what is in all probability. Our focus and goal was to give something we may not be able to stop, to give our best plan for this. We wanted to make a statement about the positive things we were going to do. Also, I'm never of the opinion to "poke a stick in the eye of the people who give you money". Many different perspective of how we address this politically - how we can make positive statements about things we can do regardless of whether there's a community college or not. That's my personal perspective.

R - Professor Scarborough - I think you have addressed nicely that response for President Brand. Why does this body need to address this response?

R - Professor Herr - I believe what we do need to have the support of the faculty. There are somethings I think we should do even without a community college. There are somethings we are already moving ahead on. We need to do a variety of things in that area. For any of those things to be successful we need the support of the faculty.

Vic Riemenschneider - This is a Senate Committee. If the report is printed and published as written it becomes Senate policy. I believe the discussion needed to occur.

R - I think we as a faculty do have pride in who we are. Isn't it important for us to tell the truth? We're not supposed to be political. If there is something to faculty governance - which we are to represent - it must be based upon academic virtue and honesty. The truth of the matter is the document is not supported by research and not supported by our opinions.

R - Professor Norton - It seems the document is a damage control response. The community college initiative is a reality. As faculty here is the best way for us to respond to it to prevent Community colleges from moving into areas we would rather not.

R - Professor Herr - We are concerned about educating people in northern Indiana, to improve on things we need to improve on, such as the retention of students, etc. I think in that sense it is an honest statement of what we need to do.

R - Professor Hinnefeld - I think there are some good things to do, but I don't see that it is a good idea to incorporate that into a document that supports a state wide Community college initiative. I don't think the initiative is a good idea, and I cannot vote for a resolution that supports that.

R - I would hate to hear in the future that IUSB faculty support this. I think some of the statements have us speaking the "party line" and supporting this in the sense that this is a good idea and that we're going to do our best to follow through.

R - Professor Herr - We are responsible for some of these things that should be occurring on this campus.

R - Professor Smart - One of the things I am concerned about - you can say we have serious reservations about this. When you have community colleges you will have a lot of adjunct faculty. That's almost always what happens. What could happen is that adjunct faculty won't get paid enough, teach too much and not make enough for what they do. They will be exploited. Do we really want to go into situations that could lead to more exploitation? That is a serious concern.

R - I want to express thanks to the committee for what they are trying to do. I think there should be room in the report for a voice of dissent. We should be able to add something to the Preamble - we don't think it is great for us. If it is going to happen, this is our position. At least a sentence or two about our dissent.

R - Professor Herr - I don't think we would have any trouble with that. I don't think anyone on the committee was looking at this with great enthusiasm. I think we need to be positive in what we say we are going to do.

R - Professor Mettetal - When I look through the bullets these are wonderful things. But what they are saying is that you don't need a Community College system because we can meet those needs. Saying something like that in the Preamble - we are responding to the Initiative. We are doing things we don't need a Community College to do because we can meet these needs in our current status. Then you can the bullets to say that other side of the issue.

R - Professor Schreiber - Listening to what is going on here, I get a sense from the Senate that they want materials added to this. Rather than edit on the floor, I move the document goes back to the committee and be represented in the March meeting. With the sense of the Senate comments incorporated into the document.

Motion by Professor Schreiber - to refer the document to the committee to incorporate the concerns expressed by the body and report at the March meeting.

Seconded

Motion carried - **Senate Resolution 2000-3**

V. Old Business

A. Faculty Welfare Committee Misconduct Policy

Last April, the Faculty Welfare Committee presented a IUSB Misconduct Policy based on a policy developed by Bloomington Faculty. At that time, there were known conflicts with the IUSB Faculty Senate Constitution. You requested the committee to return with a plan to resolve the conflicts before discussing the Misconduct Policy. The committee has distributed such a plan by campus mail and I hope everyone brought a copy.

Professor Lyons, chair of Committee, presented the Policy

Professor Lyons - It may save some time if I go over the Committee's report. The report is the Green pages. Part four of the report (3-7) are the two proposals we are presenting this morning. They are in response to the task given the committee last April - to represent the Faculty Misconduct Policy and coordinate it with the existing Policies on Dismissal and Board of Review in the IUSB Constitution.

Couple of comments about the two proposals. The first proposal is the adoption of the Faculty Misconduct Policy as the IUSB plan and that is with the stipulation that requires the Constitutional changes listed in the first and second items of that proposal, and can therefore, be put into effect only if those two changes are accepted. That part would have to be by mail ballot with a 2/3 majority. In other words, we aren't asking you to vote on this without knowing the Policy itself, without being assured it won't go into effect unless other changes are made.

Part two of the proposal has to do with the placement of the policy. The Committee has proposed it be placed in Part II of the IUSB Academic Handbook - The Academic Appointee on the IUSB campus. Reasons are - the first part of the Constitution focuses more on principles and specific policies and procedures go more into the second part along with the existing policies on Financial Contingencies and Research. If you vote to approve that placement we do that here and now. If you decide you would rather have this document in the Constitution or Part I, that too would have to be by mail ballot and 2/3 majority.

Part II of green document - Key issues - In 1997-1998 - there was clear consensus on the three points listed here. Those are key and continue to be key in all of our deliberation about this issue:

- 1) that tenure is essential to preserve academic freedom but does not -- and should not-- exempt tenured faculty from the accountability to which they should, rather, be subjected throughout their academic careers.
- 2) that post-tenure review already exists on this campus in several forms, specifically the annual report/evaluation and teaching capacity model agreement/report in effect at the time.
- 3) that, as stated in the recent AAUP report on post-tenure review, "mechanisms to review all faculty are not only wasteful but are harmful if they endorse or imply reevaluation or revalidation of tenured status as defined in the 1940 Statement."

In 1998-1999 we moved a bit further. President Brand had rejected the Policy the Faculty Welfare Committee had submitted, that had been approved by this Senate, because it didn't contain dismissal procedures. This is key, the document, The Guiding Principles for Faculty Review, that really was underway at that point, amended and passed in February 1999. That really has been a guiding force system-wide in the consideration of Post-tenure Review. It sets forth what is required from each campus. This part was not discussable on our campus. If you look at that document, the key thing - the three categories:

- 1) Procedures for annual merit review - which we have
- 2) PTR Procedures - which we have

3) Procedures to be adopted for review, remediation, and sanction (including sanction of dismissal) of faculty conduct that violates the rules of the University or fails to meet generally understood and accepted standards of professional conduct.

This policy had to address #3 along with the criteria “ A-J” that the campus Policy must meet.

Given all of that, the committee has recommended what is the IUB Faculty Misconduct Policy, and a brief discussion on the questions raised last April. Regarding the reasons we have done this:

- 1) Why this Misconduct Policy? What happened to post-tenure review.
- 2) Why do we have to do this just because Bloomington does?

Actually we don't have to. It is that the IUSB Faculty Welfare Committee really liked this document and is proposing it for this campus. The title change are for a couple reasons. Post-tenure Review wasn't an accurate name for this in the first place - implication was that until this point there had been no post-tenure review. And the shift in emphasis from specifically post-tenure review to an ongoing review policy, which would involve all faculty members throughout their careers.

Things we liked:

- 1) It does seem to be carefully written
- 2) It does seem to protect the rights of both individual faculty members and the institution
- 3) It puts the review process in the hands of elected campus-level committee - the Committee proposed in the faculty - the Faculty Misconduct Committee

What also happens with the establishment of that committee, means that committee would review the case, and the faculty member would have the Board of Review to review on appeal. It seemed a good thing. Also, this policy in no way precludes any future Post-tenure review this Senate might choose to adopt.

Misconduct Policy

Q - Professor Cohen - I find this to be a really good proposal, but I find some inconsistencies in the Green document (page 5) fourth paragraph, says: “In cases of serious personal misconduct, administrative actions affecting a faculty member may occur **with or without** the recommendation of such a committee. In these cases, the faculty member has the right to petition the Faculty Board of Review for review of such action as a grievance.”

This is reflecting the IUB document (page 1): “Cases of serious personal misconduct may be the subject of administrative action, with the right of the faculty member to petition the Faculty Board of Review for review of such action as a grievance.”

If I read that correctly, that means that the Administration can proceed with administrative action of a faculty member with what they perceive as a serious misconduct, without the careful machinery of this Faculty Misconduct Committee hearing. Is that correct? Elsewhere in the brown document, the charge would be brought to the Committee. It seems to be an inconsistency. In one case, the Administration can bring action against a faculty member, without the Committee hearing, the only bad result being the faculty member can grieve it and the Faculty Board of Review, which has a very different hearing structure, which is less favorable to the faculty member, than the hearing structure you have outlined here in the Faculty Misconduct Board Policy.

R - Professor Barton - Actually, the brown document contains a whole set of procedures for emergency cases, which seems to imply that the Administration cannot take action whatsoever, without at least informing this Committee that something is going on. I think you are right there is an inconsistency.

R - Professor Lyons - I think that does need to be corrected.

R - It strikes me that administrative action can take place with or without faculty member informed.

R - Professor Cohen - That's why brown document outlines emergencies measures to follow. Must state why, committee review, quite an elaborate procedures that is provided for.

R - Professor Lyons - I think the committee can respond to that. Other questions or concerns?

R - Professor Furlong - I am confused by these documents that don't seem to fit together. Green paper (page 3) deals with Dismissal:

- 1) incompetence
- 2) serious personal or professional misconduct, or
- 3) extraordinary financial exigencies of the University

Then the brown document, I presume a replacement for what has been stricken out of green document, and I find that incompetence can be included in the concept of misconduct. I don't understand how incompetence becomes misconduct, when on the green sheet it has a distinction. But in procedures, they are put together. How do you propose we deal with incompetence that is not misconduct?

R - Vic Riemenschneider - the brown document refers to the *Academic Code of Ethics* that is now part of our contract and is part of the IU Handbook.

Q - Professor Furlong - What contract?

R - Vic Riemenschneider - According to the AAUP, the courts have accepted Academic Handbooks as contracts. Speaking to that, in *Academic Code of Ethics*, it does deal with things that could be related to incompetence, and misconduct is then considered to be a violation of the Academic Code of Ethics.

R - Professor Cohen - We are reacting to things brought upon us. In the original question, it was to get at the incompetent faculty members and now we have turned it into a Misconduct Policy. The questions is do we accept this - incompetency is not the same as misconduct.

R - Professor Lyons - I do not agree. It is not always, and that is the distinction being made. I'm not sure this ties us up.

Vic Riemenschneider - The paragraph you are asking for approval on still must go before the Richardson Committee for approval. Pages 35-41 in the Academic Handbook is the Academic Code of Ethics.

Discussion continued.

R - Most professions consider incompetencies as misconduct.

R - Professor Lyons - If anyone has thoughts on that issue and wants to give to committee that would be fine.

Motion Professor Cohen - To return document back to committee.

Second to motion.

Professor Furlong - I'm not sure I can resolve this in anyway. But I would like those who are framing this document to think about a problem mentioned earlier. We are creating another

desperately serious task committee - five members plus five alternates - and our leader had to beg for members of another committee this morning.

R - Professor Lyons - Rather you not refer back to committee without specific requests. I do have Professor Cohen's and Professor Furlong's.

R - Vic Riemenschneider - Those are germane to the amendment.

R - Is there some place where emergency procedures are defined? I was concerned that Administration can act upon serious cases of misconduct with or without Committee involvement.

R - Vic Riemenschneider - There are several things not covered by this document. Affirmative Action policies and Research misconduct. Those are separate documents and have separate procedures. Trustee Richardson is insisting on procedures for handling emergency procedures.

R - Professor Furlong - Reference to yellow document. Refers to incompetency and misconduct separately.

R - Vic Riemenschneider - Must stop discussion as we are close to losing a quorum. We need to act upon the motion to refer back to the committee. Please e-mail Professor Lyons with concerns.

Motion carried - **Senate Resolution 2000-4**

Professor Lyons - Response to Dismissal and Board of Review. We are replacing this document with procedures less well defined and protect the faculty members to a less degree. One key point is the dismissal procedures involve the Board of Review, which means the faculty member does not have that as a Board of Appeal. We really like that part of that package. As far as changes in Article 11 - obvious line 2 - removing non-tenured, as this refers to all faculty. We have printed only the part of the Constitution we are amending and deleting. Other parts of Constitution not here have not been touched. Comments.

R - Professor Cohen - now sanctions of all kinds are available to the Administration. Prior to this only dismissal sanctions. So this is a significant change. It means if you are brought up on charges, when you could have your salary docked or other procedures, you cannot now have that. You need to be aware of that.

R - Vic Riemenschneider - There's going to be two votes in this procedure. One you will accept the proposal, you will accept the document for Misconduct. The second part of the vote will mean we have to have a motion to close discussion on the Constitutional changes, and that will be voted on by mail ballot. Even though we vote to accept the committee's proposal, it will depend upon passage of the Constitutional changes for the entire thing to take effect. The whole package will have to be approved for any of it to take effect.

R - Professor Furlong - As I understand this, the Administration can declare anything it chooses to be serious personal misconduct and completely skip the Misconduct Committee and impose a sanction.

R - Vic Riemenschneider - That was caught by the committee. These would become part of the procedures (Misconduct Policy, Contingency Plan, Research Misconduct Policy) all become procedures of the Senate. Sturgis states procedures passed by the body are just as enforceable as the Constitution. What is different is the Constitution must go through a mail ballot and 2/3 vote, and procedures can be changed at a meeting by voice vote/majority vote.

Q - Professor Barton - Concerned about error on page 6 - reference to Article XI.

R - Professor Lyons - That was an error.

Vic Riemenschneider - We have lost our quorum. Additional business will need to be deferred, including the Athletic Committee report and Student Affairs report.

VI. New Business

None discussed

VII. Announcements

- A. The IU Board of Trustees will be meeting here on this campus on March 30-31. Campus faculty will be able to make some presentations at those meetings.
- B. AAUP is requesting support in the Indiana Legislature for HB 1380 to place an elected faculty member on the governing boards of public universities. Please contact your legislative representatives (Indiana House and Senate).
- C. Attachment on IUSB Admissions is provided by the Executive Committee for information only.
- D. FN grade for those students who do not attend class and you should assign a date of last attendance.

VIII. Attachments

- A. Frank X. Steggert - Memorial Resolution

Meeting adjourned at 11:45 AM.

Respectfully submitted,
Constance Deuschle

Attachment A - 1/21/00

FRANK X. STEGGERT
Memorial Resolution

Frank X. Steggert came to IUSB in 1975 as the second director of the School of Public and Environmental Affairs. At the time SPEA was only three years old, and with only twenty-five majors was at the formative stage of its development. Frank felt it was his job to help SPEA earn a permanent place on the IUSB campus. Much of what followed can be credited to him. He encouraged curriculum reform, brought two new degrees to the campus, created an Alumni Advisory Board, and increased the size and diversity of the faculty.

Frank was creative and resourceful. He felt that SPEA has a special mission to be not only an important academic program on this campus, but to also be a vital force in the community at large. He was a great believer in the value of applied research, and in sponsoring projects and programs that would benefit a wide range of groups and organizations. During his tenure as director, SPEA led the campus in externally supported grants and contracts.

Frank came to IUSB from Rensselaer Polytechnic Institute in Troy, New York, after a distinguished career in both the academic world and in the world of public administration. He held academic appointments in various universities, and was the director of a “Model Cities” program in Milwaukee, Wisconsin. He served as an administrator with Community Action programs in Atlanta, Georgia, and Albuquerque, New Mexico. He spent a year in Kampala, Uganda, as a lecturer for the University of Wisconsin.

Frank served as the director of SPEA until 1983, when he moved back to the faculty and over to become the director of the old Michiana Urban Observatory; the predecessor to the current Institute of Applied Community Research. From that position he launched a new research agenda focusing on middle size cities. He became a national advocate for cities like South Bend, and proved empirically that they were the best places in the United States in which to live. He continued this research until his retirement from the university in 1991, and beyond, until his death in December 1998.

Frank was also a dedicated, if unconventional, teacher. He was known for his informality, his insistence on academic excellence, and the breadth and depth of his knowledge. He presented course materials in unusual ways. Students loved his style.

Away from the campus, Frank read short stories, attended Broadway musicals, and collected beer cans. He was also a pretty fair poker player.

Born, raised and educated in Chicago, Frank loved the Midwest. He and Joan raised eight children. Once they picked South Bend, they never thought of leaving.

In his time here, Frank had a major impact on teaching, research and service missions of both the School of Public and Environmental Affairs and IUSB. He was an excellent teacher who earned a national reputation as an advocate for local communities. Few faculty in any program can match the contribution that Frank Steggert made to this campus and in this community.

Be it therefore resolved, that the School of Public and Environmental Affairs, the Indiana University South Bend Academic Senate, and the entire IUSB community, acknowledge our collective loss, and that we extend our deepest sympathy and sincerest condolences to Joan, and other members of his family; and that this resolution be recorded in the minutes of the Academic Senate; and that a copy of this resolution be sent to his family.

January 21, 2000