

**Agenda**  
**Indiana University**  
**UNIVERSITY FACULTY COUNCIL**  
**March 27, 2012**  
**1:30 P.M. - 3:30 P.M. (EST)**

**IUB: Franklin Hall Room 106**  
**IUE: Whitewater Hall Room 119**  
**IPFW: Helmke Library Room B37**  
**IUPUI: ICTC Building Room 541**  
**IUK: Main Building Room 111**  
**IUN: John W. Anderson Library/Conference Center 115**  
**IUSB: Northside Hall Room 079**  
**IUS: Knobview Hall Room 112**

**Attendance**

**MEMBERS:** Rachel Applegate, Simon Atkinson, Charles Bantz, Ed Berbari, Karl Besel, Hall Bjornstad, Stephen Burns, Carolyn Calloway-Thomas, LaNita Campbell, Rosanne Cordell, Stanley Davis, Nancy Eckerman, David Estell, Tony Fargo, Charles Gallmeier, Steve Gerencser, Don Gjerdingen, Clifford Goodwin, John Hassell, Hitesh Kathuria, Moira Marsh, Michael McRobbie, Mary Beth Minick, Lori Montalbano, Laverne Nishihara, Nasser Paydar, Mary Popp, Herb Terry, Lesley Walker, L. Jack Windsor

**MEMBERS ABSENT WITH ALTERNATES PRESENT:**

**MEMBERS ABSENT:** Jean Abshire, Corey Ariss, Randy Arnold, Zachary Berwick, M. Todd Bradley, Shu Cole, Harold Evans, Richard Gunderman, Matthew Guterl, Pat Harbison, Michael Harris, Pamela Ironside, Jorge José, Justin Kingsolver, Joan Kowolik, William Lowe, Marjorie Manifold, Steve Mannheimer, Tim Mickleborough, Geralyn Miller, Yusuf Nur, Michael Nusbaumer, C. Subah Packer, Sandra Patterson-Randles, Una Mae Reck, Lauren Robel, Christopher Rutkowski, Jodi Smith, Fran Squires, Ellen Szarleta, David Tataw, Michael Wartell, William Wheeler, Tony White,

**GUESTS:** John Applegate, Craig Dethloff, Mary Gray

**Agenda**

1. Approval of Minutes  
<http://www.indiana.edu/~ufc/docs/minutes/AY12/01.31.12.pdf>  
<http://www.indiana.edu/~ufc/docs/minutes/AY12/02.28.12.pdf>
2. Agenda Committee Business (25 minutes)

(Professors L. Jack Windsor and Carolyn Calloway-Thomas, Co-Secretaries of the University Faculty Council)

3. Presiding Officer's Business (10 minutes)

(Professor Michael McRobbie, President of Indiana University)

4. Question/Comment Period<sup>1</sup> (10 minutes)

(President McRobbie and Professors Windsor and Calloway-Thomas)

5. UFC Reform Status (20 minutes)

(Professor Simon Atkinson) [ACTION ITEM]

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U5-2012REV2.pdf>

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U6-2012REV2.pdf>

6. Resolution on Research Misconduct (10 minutes)

(Professor Steve Burns, Chair of the Research Affairs Committee) [ACTION ITEM]

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U7-2012.pdf>

7. Indiana University Strategy for Global Access to Health (5 minutes) [ACTION ITEM]

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U8-2012REV.pdf>

8. IUB and IUPUI Policy on Mergers, Reorganization and Elimination of Academic Units and Programs (20 minutes)

(Professor Rachel Applegate and Herb Terry) [FIRST READING]

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U9-2012.pdf>

9. Revised Policy on Financial Conflicts of Interest in Research (20 minutes)

(Professors Steve Burns and Simon Atkinson, Co-Chairs of the UFC Research Affairs Committee) [FIRST READING]

<http://www.indiana.edu/~ufc/docs/circulars/AY12/U10-2012.pdf>

### **Minutes**

**MCROBBIE:** Well, I know that that we have sort of proceeded on an informational basis, which I guess we could do on at least some of these items, and, you know, hold a bit of discussion maybe, but obviously we can't do anything formal until we get—until we get a quorum. So, I have to then jump over one because we can't approve the minutes if we're not a formal

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<sup>1</sup> Faculty who are not members of the Faculty Council and who wish to address questions to President McRobbie and co-Secretaries Windsor and Calloway-Thomas should submit their questions to the Faculty Council Office at [ufcoff@indiana.edu](mailto:ufcoff@indiana.edu). Meetings are open to the public. Our documents are available at: <http://www.indiana.edu/~ufc>.

meeting. The next item, the Agenda Committee Business, I don't know, Carolyn, how do you and Jack feel—Jack's not there, how do you feel about talking about issues there?

**CALLOWAY-THOMAS:** Well, I did want to raise a few issues with regard to the resolutions that are before us. They do not appear on the agenda, but I wanted to make a comment or two about that, so I'll just start, if that's ok—

**MCROBBIE:** —Sure, yeah, why not? Yeah, sure.

## **AGENDA ITEM 2: AGENDA COMMITTEE BUSINESS**

**CALLOWAY-THOMAS:** Good afternoon, everybody. The various resolutions that are before us today surfaced in response to faculty concerns about the timeliness and manner of notifications from Indiana University regarding last year's changes to the university's healthcare plans, and the resolutions strike at the heart of two fundamental, overarching questions and issues, which I will address in order to contextualize things. Issue one focuses on the extent to which faculty on all campuses participated in the decision making process, which led to dramatic increases in healthcare costs last year. Some faculty argued, for example, that they had not been consulted, and while this was not the case in all instances, we know that perceptions are pretty powerful things. To remedy the situation, from time to time, in my role as president of the BFC, I have used my opening remarks at each Council meeting to inform members of what is happening in this area ever mindful that members of the BFC also receive a summary of all minutes. For example, as requested, the Department of Human Resources' office, headed by Associate Vice President Dan Rives, has now made available a website detailing the university's communications regarding this issue over the past year. Faculty and staff are free to consult it, and many have done so. I know that some faculty are particularly pleased with this outcome. The central purpose of the website is to serve as a knowledge base for faculty, so that they will know what is happening, why, when, and under what conditions.

Issue number two relates to governing authority. Some of the resolutions as presently constructed both implicitly and explicitly raise the crucial issue of what body, within the UFC, is tasked with liaison between administrators and faculty. In this regard, Section 8 under the present Constitution, governing committee structures, under the heading "Faculty Compensation and Benefits Committee," is very clear, according to my reading of the Constitution. The section reads, "Faculty compensation and benefits, liaison with Vice President for Administration (on benefits matters)." Furthermore, on the UFC Bylaws, section 7.G., under the heading "The Functions of the Agenda Committee," the bylaws state that, "The Agenda Committee shall serve as the University Faculty Council's Nomination Committee." This spring, the UFC's Agenda Committee appointed an ad hoc Benefits Committee, comprising of representative a number of faculty from across the various campuses. The Executive

Committee, under the proposed changes to the Bylaws, will also grant the Executive Committee authority to appoint committees. Co-Secretary, Jack Windsor, and I have refined the decision making process such that there will be greater coordination between faculty and administrators. An important mandate is for the UFC ad hoc Benefits Committee to meet more regularly with Dan Rives and members of his staff as they sort through the multitude of factors that generate benefits packages.

In a December 7<sup>th</sup>, 2012—it was 2011, actually—memo from Dan Rives, he argues, and I quote him, “A UFC Benefits Committee that met on a regular basis, say every six weeks or so, even during the summer, would allow discussion, and a review of the variety of faculty benefit program matters, from healthcare to retirement to tuition assistance. Meeting on a regular basis would provide an opportunity for updates regarding IU’s fiscal affairs, Indiana legislation, and federal regulations, and allow attention to benefit program changes that may occur throughout the year.” Dan’s comments speak to the complex and various nature of what is involved in generating healthcare plans. So far this process is working well. The UFC Benefits Committee meets monthly and will meet more regularly during the months of July and August, when the most crucial decisions will be made regarding healthcare increases and benefit packages. The BFC resolution that is before you asks that we establish an IU employee Benefits Advisory Commission composed of, and I’m reading here, quoting, “composed of, though not limited to, representatives from the UFC Benefits Committee, and UFC Budgetary Affairs Committee, and peer Staff Council representatives.” Of course, I am as I indicated, quoting from the BFC resolution.

By way of context, please note that there are five different unions in existence at Indiana University, and their members raise compelling questions, such as who will determine who gets to sit on the Commission, and how will the various unions sort through this. In terms of decision making, it is the case that smaller groups tend to work more efficiently, competently, and elegantly together than do larger groups. Furthermore, my reading of this portion of the resolution suggests that the UFC already has constitutional authority to appoint someone from the Budgetary Affairs Committee to serve on the UFC ad hoc Committee. A resolution was passed about five years ago granting Staff Council representation on the BFC including voting rights. Please be mindful, as well, that the Constitution of the Indiana University Faculty, Section 1.1, under the heading “The Faculty,” reads, “The President, professors, and instructors shall constitute the Faculty of Indiana University.” This authority, however, does not preclude us from being invitational, that is, it does not prevent us from asking staff to serve on the ad hoc Benefits Committee, although it may raise constitutional issues regarding membership on the UFC, and the rights and privileges that emanate therefrom. I just wanted to provide a brief context for our understanding and reception of the various resolutions pertaining to healthcare that are before the Council today. Thank you.

**MCROBBIE:** Okay, well I think the key thing, Carolyn, as you know, is that the Benefits Committee has been formed and is meeting.

**CALLOWAY-THOMAS:** It is.

**MCROBBIE:** And my understanding is that's all progressing very well, and meetings have been scheduled, I think, through August, through the rest of the year, so that—that process is certainly underway. Do you have any more—as I said, Craig, quorum?

**DETHLOFF:** Minus three.

**MCROBBIE:** Minus three.

**CALLOWAY-THOMAS:** —Is Craig—

**DETHLOFF:** —But somebody just joined at IUPUI.

**MCROBBIE:** Oh, Jack's there.

**CALLOWAY-THOMAS:** Jack, you wanted to—

**MCROBBIE:** Jack, do you have any business you want to talk about?

**CALLOWAY-THOMAS:** Jack—Jack Windsor.

**MCROBBIE:** Jack, we don't—we don't have a quorum, but I thought we could at least maybe go through the business and talk about a few of these issues.

**WINDSOR:** Including me, three more people have showed up, Craig. No, two.

**DETHLOFF:** We have somebody at South now, too, which would give us quorum.

**MCROBBIE:** Would that give us a quorum? Is someone at Southeast? Okay. So you—as the—as the Presiding Officer over the rolls of the [indistinct comment] here, you would judge this a quorum?

**DETHLOFF:** By the living God, we have a quorum. [Laughter]

**CALLOWAY-THOMAS:** Are you testifying and swearing? [Laughter]

**MCROBBIE:** Let's—in that case, why don't—why don't we stay on agenda item two, but see if there's any other matters that Carolyn or Jack want to raise, and then jump back to one to deal with that. Keep an eye on anybody coming or leaving, too. Jack, anything?

**WINDSOR:** Yes, a couple of issues maybe you can clarify with the Academic Directions, particularly to the healthcare campus, the report that came out on Saturday, seemed a lot of people think it was a done deal, can you elaborate on that?

**MCROBBIE:** I haven't seen the—I haven't seen the report, yet. I didn't even know it had come out.

**WINDSOR:** Okay.

**MCROBBIE:** So, I'll look into that, I just don't know what that item is. I was actually in Atlanta on Saturday so...

**WINDSOR:** Okay. As far as the Student Services Initiative, I believe John told us last time it's entered the third stage, is that correct?

**APPLEGATE:** That's correct—

**WINDSOR:** --and we'll start looking at—just want all campuses to be mindful of that, and be eager for input as we work through this process to make sure normal service is not impacted, that we are striving to be more efficient. One issue came up on the Columbus campus. They want to be able to sit in on the UFC Faculty Council. Currently, they're under IUPUI governance structure. Currently, we don't have a representative from that campus to the UFC. I just want to verify whether it was alright for Craig to have them video-conference in.

**MCROBBIE:** Well, the—the membership is set by the present Bylaws, which may be changed under Simon's reform package, so—so whatever provision needs to be made for Columbus would have to be done through IUPUI I believe. I don't—I mean, since it's a public meeting, unless we're in Executive Session, I suppose there's no—there's no issue, unless anybody has any concerns. There's no issue with them video-conferencing in, but they would be video-conferencing in purely as observers, not as participants.

**WINDSOR:** Absolutely. I just wanted to bring the issue up. They contacted me by email [indistinct comment] Craig, and we just wanted to bring it in front of the UFC.

**MCROBBIE:** They are—they do have a different status to the—to the regional campuses. They're not a regional campus. They're a—a sub—as things presently stand, they're a sub-campus of IUPUI, too.

**WINDSOR:** Yeah, and we treat them as a unit in regards to board of reviews in every other aspect, but they want an opportunity to be engaged, and see what is happening at the university level.

**CALLOWAY-THOMAS:** I think until such time as we can clarify their relationship to this body, that it makes good sense for us to invite them to the next meeting; as the president has said, anyone who wishes to attend one of these sessions can do so.

**WINDSOR:** At IUPUI, as we move forward with the new plan, I will try to encourage IUPUI to find a representative on the Columbus campus as one of our representatives to ensure everybody is at the table.

**MCROBBIE:** That would—that would be a good—that would be probably a good thing to be worked out within IUPUI's allotment, as—of members. Jack, anything else?

**WINDSOR:** That's all right now. Thank you.

**MCROBBIE:** Okay, Carolyn, anything else?

**CALLOWAY-THOMAS:** Just to note that we invite everyone to go to the healthcare website, and to note that the UFC ad hoc Committee will be posting information specifically to benefit the ad hoc Benefits Committee in those instances when things are confidential, so I think the important takeaway is that we're working diligently on this issue, and trying to address some of the concerns that faculty had last year as a consequence of the increases in healthcare.

**WINDSOR:** Is it up already? Do you know?

**CALLOWAY-THOMAS:** It is up. Well, the—yes, it was up. Gt to—Craig, what is that? What is—give them the address for that—I think you just go to the UFC—tell them. He'll tell you.

**DETHLOFF:** Where to find the—

**CALLOWAY-THOMAS:** —Yes.

**MCROBBIE:** Craig, why don't you send it out to everybody?

**DETHLOFF:** Yeah, I can do that.

**MCROBBIE:** That would be a better way of doing it.

**R. APPLGATE:** Well, structurally, if they want people to be able to find it, I mean I've been trying keyword searches. I tried Human Resources. I tried each Faculty Council. If you can't find it, it's not really—

#### **AGENDA ITEM 1: APPROVAL OF THE MINUTES**

**MCROBBIE:** —Craig—Craig is going to send the URL after the meeting, as soon as the meeting is over, Craig will send the URL to the—to every member of the Council. Okay, let me—there

being no more under agenda item two, let me jump to agenda item one, the approval of the minutes of the last meeting where we—I think we did we have a quorum for a period there so there is an official set of minutes. Does anybody have—firstly, can I have a motion to adopt the minutes of last meeting please?

**TERRY:** I'll move.

**MCROBBIE:** And a seconder?

**POPP:** Second.

**MCROBBIE:** Okay, any discussion on the minutes, suggested changes, corrections, comments? The minutes on the last meeting? No one out in cyberspace? Okay. Let me put the motion for the adoption of the minutes. All those in favor signify by saying "aye". [Aye] Against same sign. [Silence] Okay, the minutes are approved. With your indulgence, could I suggest that—obviously this is a slightly delicate matter, but we have had continuing trouble getting a quorum. We actually have one at the moment. It seems to me that agenda item five is obvious of extreme importance, and, in fact, our difficulty—our difficulty in getting a quorum is one reason why agenda item five is important, and would people be indulgent in that we could move to agenda item five straight away to have that discussion and what have you to see if we can adopt those changes, and then I'll come back, and I'll make some comments under four?

**CALLOWAY-THOMAS:** Good idea.

**MCROBBIE:** Is that agreeable?

**WINDSOR:** Sounds great.

**MCROBBIE:** Is that agreeable? Okay, let's move to agenda item five. Simon, this is your—your item.

#### **AGENDA ITEM 5: UFC REFORM STATUS**

**ATKINSON:** Good afternoon. I hope it's not just my item—

**MCROBBIE:** —Your item to start.

**ATKINSON:** There are—there are—there are two documents that we are asking for approval today. One is amendments to the Constitution; that's circular U5 something something, and the other is amendments to the UFC Bylaws, and that's U6. Both of these require a two-thirds majority in the—the UFC for passage. The Constitutional amendments, if they're approved by the UFC, will go to a mail ballot of the entire faculty of the university for approval, and you should also [indistinct comment] that there—there should be open meetings held by the faculty

presidents on each campus to allow faculty to come and discuss these amendments if they want to.

This is, I think, mostly unchanged since the—the U5, let's start with U5—is mostly unchanged since the last time you saw it other than correction of a couple of typos, so the main changes—so there are some changes that are really recognizing things that have been going on for a long time, like the fact that we now have two co-Secretaries, instead of a single secretary of the University Faculty, and so there—there are amendments to simply make that correction throughout the document.

And relating to the reform, in Article 4, subsection 1—subsection 2, there is an amendment to change the number of faculty per representative from 100 to 200. So this effectively reduces the size of the UFC. And there are amendments in—under Article 4, concerning the officers—so Section 4.4, changing the Agenda Committee to an Executive Committee, and there are a few changes in here. The—again, regarding the co-Secretaries, and the Presiding Officer for the Executive Committee and the President.

The main body of the changes are in the U6 document, and that's the amendments to the UFC Bylaws, so this, again, this is mostly the same as what you've seen before. There are some changes in Bylaw number five, which is the procedure for electing the Executive Committee, formerly the Agenda Committee, and this is to put in the Bylaws what was recommended in the UFC reform proposals, which is that each campus UFC representatives should separately caucus to elect their representatives to the Executive Committee, and to provide a mechanism for election of the—of the co-Secretaries. Then, the sort of meat of the reform proposal is in Bylaw seven, the functions of the Executive Committee. This is unchanged since you last saw it at the March meeting.

Again, the section on standing committees, et cetera, is unchanged since you saw it at the last meeting. The main discussion at the last meeting was over the—there was some language in the document that you saw last time about the UFC co-Secretaries stating that they would be from Bloomington and Indianapolis—that has been removed, so the only language that's in there now is that the co-Secretaries need to be from different campuses of the university [indistinct comment] at the pleasure of the university, the co-Secretaries could be from any campus. I think in practice, it's likely that they will continue to be from the Bloomington and Indianapolis campuses, but that's certainly not enshrined in the document at this point.

The mechanism for election is in—is in Article 5, so Bylaw 5—so Bylaw 5 is—so first of all, is the election of the Executive Committee, so the Bloomington—members of the UFC, electing the Bloomington representatives to the Executive Committee, the Indianapolis members electing the Indianapolis representatives to the Executive Committee, and the regional campuses

collectively electing their representative to the Executive Committee. And then the co-Secretaries to be elected by the Executive Committee. I think that that's—that's all I have to say, at this point. This is a document we've—we've, we've seen in essentially similar format multiple times. The—the procedure for a revision of the Constitution means that this will need an amount of time for the meetings on the campuses, and then this—this has to go before the [indistinct comment] faculty, so that will probably take us into later—probably even into the summer, so I don't think the Constitution reform will be done before the last UFC meeting; I think that's probably overambitious. But the Bylaw changes we can act on, and those will be done.

**WINDSOR:** So the two motions coming from the Agenda Committee, one for the Constitution and Bylaws, are action items after we have any more discussion.

**MCROBBIE:** Let me—let me ask, Simon, I'm sorry, I should know the answer to this question. Do we have a—do we have a second reading process here. I mean, that is if—if this—if this gets passed in this or some varied form today, then the next set of procedures can start, or does it have to come back to the next UFC meeting for a second reading. Does it? Craig is saying no.

**ATKINSON:** Yeah, I mean, we've—yeah, we've already seen this—this at two previous UFC meetings—

**MCROBBIE:** —and that counts as—they count as first readings, effectively, even though they're amended? Okay, good. Alright.

**GJERDINGEN:** And what's the effective date for the Bylaws if we pass them today?

**MCROBBIE:** Well, it's got to go through the various campus faculty councils as—

**ATKINSON:** —So, I—I think we should make the—the Bylaws amendments contingent on passage of the constitutional amendment by the faculty, and then they would go into effect immediately, that the constitutional amendments passed by the faculty, if it is passed by the faculty.

**MCROBBIE:** When do you think, realistically, that—that could be done? I realize we haven't passed anything, yet, but just as a point of information, if this were to be passed?

**ATKINSON:** Well, Craig, I don't know if there's anything in the—in the—the UFC archives about how long you allow for the mail ballot in previous cases. I would imagine that—that we probably we need several weeks.

**DETHLOFF:** I think it's three weeks [indistinct comment]. I think we can get this done by the end of April.

**WINDSOR:** So my plan here is that at our IFC meeting on April 3<sup>rd</sup> to have a brief town hall regarding this issue after our meeting.

**MCROBBIE:** Okay—

**GERENCSEK:** —Stephen from South Bend. We just had our Senate meeting this past Friday, so I guess if we want to do this sooner than the next five weeks, we'll have to have a separate on campus forum of some sort.

**MCROBBIE:** Okay. Well, Simon, are you—are you moving this, or do we take this as already having been moved from previous meetings, or how does that procedurally—are you moving this?

**ATKINSON:** I think the Agenda Committee is moving this.

**MCROBBIE:** The Agenda Committee is moving it, okay. Okay, so that does not—I don't believe that requires a seconder then, so we can open this up for discussion. So, discussion.

**DAVIS:** Stan Davis from IPFW. I have a question on the Constitution. Under Article 4, I thought I had sent this to someone, but under item 4 where you took away—where you generalized it to two students who now no longer have constituent bases, it doesn't really explain how these students will get put on the committee. We had the students designated; it was clear that their constituent bases would do it, but now, since it's just two students, however they get put on the committee or run for the committee.

**ATKINSON:** Well that's selected in accordance with procedures adopted by their constituent bodies, so there is an All IU Student Association. So I think we refer to the students as to how they would get on.

**CORDELL:** This is Rosanne Cordell from South Bend. It wasn't until the last few days that we saw the number or the content of the resolutions from the various campuses regarding the health benefits. At this point, I think it's the wrong message for the UFC to be eliminating the Compensation and Benefits Committee as a standing committee. An ad hoc committee is—normally has a specific task, and when that task is done, they are disbanded, but we anticipate compensation and benefits discussions being every year, and throughout the year in the procedure that you've outlined, and I just—I'm not—I'm just not comfortable with our disbanding that committee, and making it ad hoc.

**CALLOWAY-THOMAS:** I raised the issue at the last meeting of the Council because I think that's a very crucial point that you've made, and I would be in favor of retaining that committee as well, and I know we have Mary—Professor Gray, who may also be in favor of retaining that ad

hoc—not an ad hoc committee, but rather the standing benefits committee. Did you and I not talk about this once upon a time?

**GRAY:** We did. My name's Mary Gray. I'm a professor here at Indiana Bloomington, and I'm also the co-Chair this year of the Bloomington Faculty Council's Benefits Committee, and we had several different conversations about the importance of retaining a standing committee, in fact, that was what motivated the Benefits Committee to forward a resolution that was passed unanimously by the—by the Bloomington Faculty Council, calling for the establishment of such a committee. So I do believe certainly our committee had effectively communicated to the Bloomington Faculty Council, but our hope would be that that committee would not be eliminated, but I'm not a member of the—

**CALLOWAY-THOMAS:** —Yeah, I know, but—

**GRAY:** —Bloomington Faculty Council right now, so I wasn't able to move that to the Bloomington Faculty Council.

**CALLOWAY-THOMAS:** But maybe after discussion I could move that [indistinct comment]—

**MCROBBIE:** —Simon, do you want to comment on that?

**ATKINSON:** I think, I mean all I can say is what I—what I have said before is that the—the Agenda Committee can appoint any committee it wants to. The Executive Committee can appoint any committee it wants to, and that committee can be an ongoing committee, and where there's—where there's a need which I think is the case with benefits—probably the case with budget or finance or facilities or whatever you want to call it, and I think there's probably a case to be made for research affairs as well, and the Agenda Committee could do that. What I'm—what I'm concerned about is ending up with a fossilized set of committees, which is what we've had in the past. This is—this is a—this is a Bylaws issue, so amending the Bylaws is something that the UFC itself can do with a two-thirds majority at any time. It doesn't require that a—that a laborious process of a constitutional amendment, so I'm open to what the UFC wants to do now. We could—we could restore certain standing committees. We could restore all the standing committees. We could abolish—abolish them all, and then make another amendment at another meeting, like [indistinct comment] put back in committees that we want when we've had a chance to think more carefully about which ones we actually want. If we're to keep standing committees, I'd be in favor of the latter doing it by an amendment to the Bylaws at the April meeting or at the beginning of the next year.

**TERRY:** I [indistinct comment] another point, but I will speak on this one. I agree with Simon about not fossilizing committees. I've argued a couple of places that what we really need is a Compensation and Benefits Committee. I haven't prevailed on that, but I might have an

opportunity to prevail on it again at another amendment session to the Bylaws at some later time. I don't think our faculty colleagues follow the minutia of the Bylaws enough to suddenly conclude we have lost our interest in benefits if we don't write them into the Bylaws at the moment. I think it's a matter of implementation. We can't go to these Bylaws until we adopt the Constitution, and I would hope, you know, that much as when the U.S. Constitution was adopted and there was an understanding it would be a set of amendments, that there would be an understanding that we'll adopt this Constitution, and then we'll follow with the Bylaws, and if we discover we need a Benefits Committee now, and a Compensation and Benefits Committee in a year, it will be easy to do that through a change in the Bylaws.

**ATKINSON:** It will be easier to do that because the UFC will be smaller, and hopefully it will be easier to get a quorum to make those kind of changes.

**MCROBBIE:** It's—

**NISHIHARA:** —There's a comment from East.

**MCROBBIE:** Yes, go ahead. Go ahead, Laverne, and then Mary.

**FOOS:** Cathy Foos from East. I think that—well two things. One, and I think this has already been alluded to, the fact that benefits is a pressing issue right now is not an argument for making it a standing committee, that's precisely what ad hoc committees would do, and I think if we're eliminating a large list of things that include such centrally faculty items such as the Educational Policies Committee and the Faculty Affairs Committee, then it seems a little bit backwards to have a standing committee that's not as centrally a faculty governance issue as those others, so I—I would support keeping this list of strikeouts as it is.

**MCROBBIE:** Mary?

**GRAY:** This is Mary Gray again. I think the concern I have as someone who doesn't regularly attend the Faculty Council meetings, so I'm not in the room, and as someone whose hearing from faculty who are even more removed from the process that what they'll see is that several campuses passed resolutions by their Faculty Councils about benefits, and the next—the next thing they see is not addressing those resolutions, but the creation of something called an ad hoc committee, which really does sound temporary, and then the elimination of a standing committee that's about benefits. So my concern, which was raised by an earlier—by a colleague earlier is that for most faculty who aren't able to watch things as they move as quickly as they move, they're—they—they could easily misinterpret this move as benefits are not being attended to as closely, or that benefits really are something that may or may not come up, and I think that there's an argument to be made—be made, and I would disagree, respectfully, with my colleague, Herb, that it's—it's—time is of the essence to be able to demonstrate to the

faculty that its governance is—is responsive to those calls for more faculty governance and attendance to benefits issues.

**MCROBBIE:** Laverne, were you trying to get in?

**NISHIHARA:** Yes. I just wanted to say that, to my knowledge, the Compensation and Benefits Committee has not met this year. I have not seen much of substance coming from that particular committee in the past two and a half years, and, therefore, I believe that was the driving force behind this move to eliminate lots of committees that have not been very effective, honestly.

**CALLOWAY-THOMAS:** You referring to the one on our campus, Laverne?

**NISHIHARA:** [indistinct comment], what did you say? [Indistinct comment].

**CALLOWAY-THOMAS:** Nevermind.

**MCROBBIE:** Jack, I think I can see your hand up.

**WINDSOR:** Yes, one of the strategies, as we were talking about the ad hoc committee, and who should be on it, we did check with all the regional campuses, and all the campuses made sure they had a fringe benefits or some kind of form of committee like that. We—we constructed this ad hoc committee. It was inviting some of those people to this, that they could carry the message back to their respectable committees on the campuses, and, if needed, those committees could come together as a university committee, kind of like the Research Committee did when we had the IRB issue. So there's still a mechanism that we can react to fastly, and resolve problems, if needed. The ad hoc Benefits Committee is not a committee to replace the Compensation and Benefits Committee.

**CALLOWAY-THOMAS:** And I want to add that members of the ad hoc Benefits Committee is tasked to work diligently and persistently to ensure that communication is—is met. And the goals of communication are met, and to ensure that all members of the various Councils know what is going on with regard to the UFC Benefits Committee, and that is one of the reasons why we are constructing a Benefits Committee website, to ensure that people will know, and you can tune in; you can find out. We will be posting information items there, so you'll be able to know what's going on, and I think it will be incumbent upon all of us to let members of the Councils know that this is being done, so that people can go to the sites and become duly informed.

**MCROBBIE:** I mean—but one thing I just comment that from the Chair that—that the words ad hoc don't need to be used. I mean—

**CALLOWAY-THOMAS:** —Yeah, that’s true—

**MCROBBIE:** —They give it a slightly pejorative sting—

**CALLOWAY-THOMAS:** —That’s true, yeah--

**MCROBBIE:** — I mean, it is the Benefits Committee of the UFC—

**CALLOWAY-THOMAS:** That’s right, that’s right. That’s correct. So we’ll drop it.

**ATKINSON:** I’d just follow up on what Laverne was saying, and Laverne is exactly right, and— and you—the history of the non-existence and non-functioning of that committee goes much— that much further than two and a half years. I think it was probably last appointed when Bob Eno was one of the—one of the co-Secretaries of the UFC, however long ago that was. And I think it’s—it really points out that—that having a committee on—on the books has apparently not been an effective way of dealing with particular issues.

**BURNS:** This is a little off point, but follows on Herb’s point is this body really should be talking about a compensation committee, not a benefits. Benefits could exist in the absence of compensation, but they are part—well, no they can’t —they’re part of compensation. I mean, but you can’t do one without the other.

**MCROBBIE:** Other comments?

**TERRY:** On this or something else?

**MCROBBIE:** Well, I think—I think we—the way I’m interpreting—

**CORDELL:** —I have a comment.

**MCROBBIE:** Can I just—can I—sorry, hold on a minute. I—the way I’m interpreting this is that we have a motion in front of us from the Agenda Committee to adopt these changes to the Constitution, and that’s what we’re discussing, and that encompasses a lot of stuff, if people want to take up any of those matters—

**TERRY:** —and the Bylaws.

**MCROBBIE:** Sorry?

**TERRY:** And the Bylaws.

**MCROBBIE:** And the Bylaws. And the Bylaws, yes. Yeah. Sorry, yes, go ahead, whoever that was, and then Herb.

**CORDELL:** Rosanne—

**MCRORBIE:** Rosanne, yes—

**CORDELL:** —Cordell from South Bend. I think part of the problem is, as—as one of our colleagues said is this is a—the perception will be that the UFC is not being responsive to the concerns in—concerns that were raised strongly enough to send resolutions from a number of—of campuses. And part of the problem is that one standing committee was retained. If they were all made ad hoc, or whatever you want to call them, then it would not seem as if there were some areas that were more important than others, that they were all as needed committees, but in this case, the Bylaws as written here, as amended, seems to make committees of different importance, just by retaining one as a standing committee, and making the others ad hoc, and it's the wrong message to send to the faculty that their very strong concerns are not being considered here.

**CALLOWAY-THOMAS:** Perhaps we would have an amendment to amend this to include [indistinct comment].

**MCRORBIE:** Well, I think that sounds like what may need to be done, but, Herb, do you want to...?

**TERRY:** If the concern is with the Honorary Degrees Committee, I think the reason it's specified in here is because the policy creating it in 1992 says it's a standing committee of the UFC, and the other reason would be because it has actually worked for a number of years.

**CALLOWAY-THOMAS:** [indistinct comment] get an agenda every year.

**TERRY:** Yeah, but I guess we'd have to go back and amend the 1992 policy, and say that, you know, there will be an Honorary Degrees Committee if the University Faculty Council creates one, or something like that, if we took it out of here.

**ATKINSON:** That is exactly right, Herb. All the standing committees were abolished, the Honorary Degrees Committee has a separate existence that derives from the Honorary Degrees policy, and so that's why it was left alone.

**CORDELL:** I'm very concerned about the discussion of committees that were not named, and were not formed for years when they clearly—when there clearly was business that they should have been attending to. That seems to me to be a problem in the implementation of the Bylaws, and not in the Bylaws themselves. I mean, if there—if there's compensation and benefits business every year, than that committee should have been named every year, as well as any of the other committees.

**MCRORBIE:** Yes?

**BURNS:** The problem with that argument is the very need to do this amendment is because things weren't working the way we should have expected them, which means having a quorum at every meeting.

**MCROBBIE:** Other comments?

**MARSH:** Call the question.

**MCROBBIE:** I think that—well, okay, the question is to be called. How does this work procedurally because I'm sure someone is going to want to move an amendment, that if the question is called—

**TERRY:** —We [indistinct comment] whether or not to end discussion.

**MCROBBIE:** [indistinct comment], so we're voting on that? So, the motion is—is to basically to call a question, that is to put the motion; so, we're voting on the calling of the question as a motion first. Everybody understand?

**TERRY:** Well, no. Are we voting on our discussion overall of the Constitution and Bylaws, or just voting on this discussion we have been having about possibly—about the standing committees?

**CALLOWAY-THOMAS:** Or voting to entertain the possibility of an amendment?

**MCROBBIE:** There's a—there's a motion in front of us, which is—which is—

**TERRY:** —to adopt these?

**MCROBBIE:** Right.

**TERRY:** Okay.

**MCROBBIE:** And the calling of the question, if we vote on calling the question, that is voting on whether to take a vote on the motion itself. Is that how you interpret it, or am I just misinterpreting it?

**WINDSOR:** It requires no second, and a seventy-five percent.

**MCROBBIE:** And then—and then, if that was passed, then I would put the motion, right?

**WINDSOR:** Right.

**MCROBBIE:** Okay. So, okay, the question has been called, when a question is called, you've got to put that motion immediately, basically.

**CALLOWAY-THOMAS:** That's true.

**MCROBBIE:** So I'm putting the motion to call the question, and we may need to do a count on this.

**TERRY:** If approved, that would mean no further discussion on the Constitution and Bylaws.

**MCROBBIE:** No, that's right. That it—but, I think, someone can then move an amendment.

**CALLOWAY-THOMAS:** And that's what I wish to do.

**BURNS:** At this point, you have a choice of not calling a question, and doing a friendly amendment.

**MCROBBIE:** Well, [indistinct comment] friendly amendment because I'm not, it's up to the—

**CALLOWAY-THOMAS:** —It's not hostile.

**WINDSOR:** If you called, and it passes, you vote on the motion on the floor, without any more discussion and amendments.

**MCROBBIE:** That's right. Okay, so I think that's the way we'll proceed. So, I'd like to—I'm going to call the question so, all those in favor of that motion to call the question, signify by saying "aye." [Aye]. And those against by same sign. ["Aye"] Okay we may need to do a—we may need to do a count. Can you—can you do that please, Craig? All those in favor of the motion—to put the motion basically? Please, in this room. You got someone behind you, too, Craig.

**WINDSOR:** Sixteen at IUPUI.

**MCROBBIE:** Sixteen?

**WINDSOR:** Yes.

**DETHLOFF:** Total of twenty-nine.

**MCROBBIE:** And all those against, please raise your hands.

**UNKNOWN MALE SPEAKER:** There's an "aye" on the phone, against.

**DETHLOFF:** Twenty-nine to six.

**WINDSOR:** Two at IUPUI, Craig.

**MCROBBIE:** Two at IUPUI, did you get that? Okay, he's got them.

**MCROBBIE:** Twenty-nine to six, it's passed. That means I've got to put the motion. Okay, the motion is to adopt the changes to the Constitution and to the Bylaws as—as per Simon's

document that came through the Agenda Committee. So let's put that motion straight out; I believe there's no discussion is now needed. All those in favor of Simon's or the Agenda Committee's documents, signify by saying "aye." [Aye] And against, by "no." [No] I'm taking that to be—

**TERRY:** —I'm going to abstain.

**MCROBBIE:**—Herb is abstaining to—so, I'm taking that as passed, but I think we need the numbers on that, but that's just passed.

**DETHLOFF:** Thank you! Thank you so very much. [laughter]

**MCROBBIE:** Craig has been made a very happy man.

**GJERDINGEN:** Craig, just to be clear, could you review the timeline from here on out, and what has to be done, because one of the key things we need to know the exact date when these things are effective. We don't have a date certain. It'll be—

**MCROBBIE:** —I think—

**GJERDINGEN:** —what it's going to be.

**MCROBBIE:** With the—with the UFC's indulgence, I mean I would ask that maybe the co-Secretaries and Craig could distribute for everybody's benefits a description of the timeline that includes when this can expected to be referred to the various faculty councils on the—

**DETHLOFF:** —It's actually the last page of the Constitution, on the very back there.

**GJERDINGEN:** But the Bylaws say—that the last line of the Bylaws say effective July 1, 1984, that's what it says right now.

**DETHLOFF:** Oh, you want to—

**GJERDINGEN:** —Well, I don't know.

**MCROBBIE:** What I mean, Craig, is when is this going to go to the—to the various campus faculty councils, when can we expect this to go to the—to the faculty, et cetera?

**DETHLOFF:** It can go right now.

**MCROBBIE:** It doesn't need to go to the—the Constitutional change can go straight to the faculty?

**DETHLOFF:** It says at least one week, and not later than three weeks after receiving the document and background information. And I think we can get that out in a little bit quicker than a week, and then you have it on the campuses, talk about it...

**GJERDINGEN:** So, to be clear, what—I guess what I was asking is sometimes they have a future date certain looking ahead, and that'll say, you know, August 1 or something, what we're saying here is it becomes when this process is done.

**DETHLOFF:** When the vote is done.

**GJERDINGEN:** Whenever that is, that is it.

**DETHLOFF:** Yeah, when the—when the faculty as a whole votes, then it becomes effective.

**MCROBBIE:** And this is—this is basically organized by the co-Secretaries obviously yourself involved, and the presidents of all the campuses?

**DETHLOFF:** Yes, the presidents and faculty senates.

**MCROBBIE:** Right, okay. Herb, yes?

**TERRY:** This is out of order, but as things played out, I had no way to raise it, and it's why I abstained. Through various revisions, the references to the Constitution in the Bylaws don't match the numbering of the Constitution we're proposing to change. So somebody needs to go through and fix the references in the Bylaws so that they match the Constitution, and I would hope we would authorize that.

**MCROBBIE:** I don't think that anyone would object to that, Herb.

**TERRY:** Okay.

**MCROBBIE:** I mean, there is always the traditional quick cleaning up with these sorts of things. Maybe you could withdraw your abstention.

**TERRY:** I will withdraw my abstention if the cleanup is going to be conducted. [Laughter]

**MCROBBIE:** Alright, Simon, now—sorry, yes, at South Bend, yes?

**WALKER:** Yeah, I just want to ask a question about process. So when we have our meetings with our faculty, our meetings, at this point, will just be informational. In other words, we will explain to them what we are proposing, and their job will be to just to vote “yea” or “nay” because—so the faculty, at this point, can—cannot make any changes? So, for example, say we have the same kind of discussion on our faculty, many of the same points that Rosanne just brought up, people strongly feel that they want to keep the standing committee, is that

something that, at this point, we can—is there any more room to make any changes once we have feedback from our faculty, or is it just a “yea” or “nay” vote at this point?

**ATKINSON:** The standing committees are not part of the Constitution, and the faculty will just be voting on the Constitution.

**WALKER:** So, okay, so they’ll just—and, but—but there’s no room now for feedback. They’re just going to vote “yes” or “no” on the proposed changes?

**CALLOWAY-THOMAS:** That is correct.

**WALKER:** And so our meeting is informational? Is that correct?

**ATKINSON:** Yes, that’s correct.

**WALKER:** Okay, thank you.

**MCROBBIE:** Any—any final comments on this matter?

**PACKER:** I don’t know if this is the—the time, but you know I don’t see any place to sort of raise a new business thing, but, you know, what I—so, what I see as a problem with the discussion about the standing committees and so forth is that when they’re not operating, so when they’re not doing their job, what is the mechanism to fix that, and I don’t see anything in the Bylaws to fix that.

**MCROBBIE:** Well—I think it—I think any member of the Council can raise the—the issue of the need for a committee for any purpose, and feel free to do that at any point or to do it through the presidents or secretaries of the campus councils. I mean, there are multiple ways—

**PACKER:** —What it says here—

**ATKINSON:** —Pass a motion telling the Executive Committee to appoint a committee to do whatever, and if you—if you don’t like what that committee’s doing, then pass a vote of censure on the Executive Committee for—for not doing anything. I think that—

**PACKER:** —That will be effective?

**ATKINSON:** —There’s lots of recourse.

**PACKER:** Yeah, I’m not sure that’s very effective. Maybe this is something that needs to be discussed.

**ATKINSON:** Well, I’m not sure how you can, in practice, mandate that a committee is effective. Committees are composed of people and they’re as effective as the people who are on them.

**PACKER:** Right, but we've now made a smaller Executive Committee, who nominates the—

**ATKINSON:** No, we have not. We have not changed the size of the Executive Committee at all.

**PACKER:** But that committee—creates the—this committee, and then also creates whatever other ad hoc committees.

**ATKINSON:** Right.

**PACKER:** So, it's a lot of—just a few people really deciding all that.

**MCRROBBIE:** Well, it's not a few, it's still a reasonable number. There may be a chance that they'll have a quorum, too. [Laughter]

**WINDSOR:** Should we deal with the other action items?

### **AGENDA ITEM 3: PRESIDING OFFICER'S BUSINESS**

**MCRROBBIE:** Yes, let me—let me move on. Let me come back, and I just want to make some—some comments. I think the key think I want to comment on was the legislature who just, a few weeks ago, finished the session, actually, slightly—slightly early. The—the outcome of the legislature was, I think, fairly reasonable given that there was—there were lots of proposed bills early on that gave us a lot of concern in all kinds of areas, and I think when we had a meeting with Jeff Linder, those of you who were in that meeting will remember some of the things that he described that were ongoing at the time. I think the—the meeting—the bills that were—that were passed that—that are of relevance and importance, and there are details still being—still be worked out on some of these. There's a—there was a series of—there's a bill with a series of items affecting degrees. In particular, the one about credit hours, and I think people are familiar with that. I mean, roughly, what the outcome of that was that degrees are going to be restricted through the higher education commission to 120 credit hours with exception being made for the needs of degrees with special accreditation or professional standards and so on that apply, and also requests can be made of the—of the commission for degrees with more credit hours than 120 as well. There is to be—there is a—part of the bill covers a core transfer [indistinct comment] state's going to define a number of learning outcomes, and there's going to be a—universities will then propose a—a series of or courses that—that form the core of the series of transfer courses that other institutions have to—have to accept. It—it leaves a lot of discretion with the institutions, but it's a, I think, a desire by the state to have greater articulation between the institutions in the state. John is right across this one, and can maybe say a little more on it as well, and then there's also—a bill was passed to—to provide or to require that universities provide credit for military prior learning assessments so where the military has provide—provided various courses to members of the military so with these we're

expected to give credit for; I think this will affect, as I understand, and this will only Bloomington, and that obviously is a matter that's got to be worked out in Bloomington.

There was a bill that made some changes to the way in which our Trustees are elected, which I think is all to the—to the better. It brings it up to date, and modernizes it a bit, and after a lengthy process, there was initially a bill that would have greatly restricted the use of the—the state optical fiber network. Most of this is probably invisible to people but having been involved many years ago in its formation, I wanted to keep an eye on this one, and that would not have been a good outcome for higher education in the state. That was eventually modified in to a bill that effectively reflects an MOU, that the sign between higher education institutions in the state about five years ago, and I think that's—that's a bill that we can—that we can work with.

Most of the other bills that I think would have provided us with difficulties didn't pass or disappeared along the way somewhere as well, so—so that was the outcome of the—of the legislature. And I should say that we're grateful to the leadership of—of both parties who were very helpful, I think, when we explained to them why some of the other bills would have been problematic, and they were helpful, I think, in dealing with those, and I've got to pay great tribute to our State Relations Office, too. They did a great job, I think, in helping to convey and advocate for our needs with respect to the legislature. Do you want to just to add anything, John, to that, since you had to worry about a lot of this stuff as well?

**APPLEGATE:** Sure. The first three, primarily the first two, the credit hour limits, and the core transfer curriculum. Those are going to require intensive faculty involvement in a number of ways. Probably starting at the beginning of next academic year, so what's going to happen, between now and then on both is really, you know, setting up the terms, and process for—for addressing, first, the requirement to change the total credit hours for a lot of degrees, frankly, a lot of degrees, and how that's going to work, and on the core transfer idea, figuring out what are those learning outcomes. I think that part is—is actually easy enough. It's then figuring out, on each campus, how that's going to be filled up for a—for a transfer curriculum. So, in—on the credit hour limit, there are two kinds of actions that I think the faculty will need to be considering. The first is that a number of schools and departments—I don't know of any campuses have a minimum credit hour requirement in excess of 120 hours, and obviously those are going to have to be re-examined because we really have little choice but to do that, and—and that will have to be done in close consultation with the actual statutory language because there are some very important exceptions, as the president mentioned. And we're obviously—my office is obviously more than happy to be a resource for that. The second is then the hard work of taking courses—taking degrees and figuring out which of them can be moved to the 120, and which have some requirement or some very strong argument for maintaining them

above 120 hours. And that will—that will be work, and so my job is to give—give the faculty, and the academic administrators as much guidance as possible. I have a feeling I've given most of it just now, but—but—that's, but that's the role, so that's what's coming down the pipe. The prior learning assessment from the military courses is—I don't think that's going to be difficult for most campuses. We need to get a better sense of exactly what it is the state is expecting as kind of a minimum standard there, but they've—they've alluded to some—some national standards, and I think that will—that won't require as much effort, fortunately.

**MCROBBIE:** Any questions or comments on any of that? Yes, Herb?

**TERRY:** I have a question, I think for John primarily. It's been reported in various settings that the higher education commission has gained the authority to disapprove of existing degree programs.

**APPLEGATE:** That is true.

**TERRY:** Is that limited to those over 120 credit hours, or can they be on other bases?

**APPLEGATE:** It is not limited, and that is a matter of concern. As—as people may know, this is an authority that the Commission has wanted to have for a long time, and its primary target has been low—low enrollment degrees. The idea is that efficiency is to be gained by making sure that all degrees have some minimum number of—of people graduating from them, and, you know, the problem with that kind of approach is obvious, I'm sure, instantly to everybody in the room. The—the two sort of thoughts about that. The first one is that the Commission in this—the legislation just passed, and in its own initiatives under the second reached—version of “Reaching Higher” has laid out an enormous menu of work for itself, and the idea that it would then be able to quickly turn to—turn to exercising this authority seems unlikely. So there's—that's a good thing. The second is that in the course of the passage of this legislation, a number of legislators did express the concern that this was expanding the Commission's authority beyond its traditional coordinating function. Now, you can read its legislative authority in various way, but it was a concern expressed, and both the commissioner herself and the senior Commission staff member in this area indicated that they see this as being used in—this authority as being used very rarely, in some situation, unclear what it would be, that is—that causes particular concern, and, you know, that's both good and bad. On the one hand, it's good that they don't see themselves as using this to reexamine everybody's degrees and output and all of that stuff; on the other hand, that does sound a bit like a—a recipe for ad hoc approaches, which is not desirable at all. I think that this is something that is going to come up more slowly, but obviously it's something that we're watching with—with concern.

**MCROBBIE:** Yes, Herb?

**TERRY:** My second observation is that so far everybody seems to have imagined that we will have to deal with students taking GenEd someplace, Ivy Tech or one of the regional campuses or something, and then bringing it into another IU campus. The more I think about it, the more I imagine that the most difficult problem here is what happens if a student starts to pursue one campus's General Ed system, and then transfers?

**APPLEGATE:** Right. A very important part of this legislation is that it only applies, the requirement to accept this, only applies if they complete the entire core at the original institution, and that's—that's good on any number of fronts, including it means that you have a student who completes it is a student who starts and completes things, and that's often a good student or has, at least, very good study habits, and so that's—that's actually very important. It also, and just to be clear, I think we talked about this before, it also does not limit the GenEd in the receiving campus. That is, I think all of our campuses have a GenEd requirement in excess of 30 hours. So while we would have to accept that 30 as it applies to, you know, what's already been taken, it doesn't limit us from insisting on the additional hours.

**MCROBBIE:** Yes?

**WHEELER:** Going back to the issue of authority over the degree programs, should we [indistinct comment], be concerned about our labor studies programs?

**APPLEGATE:** I'm not aware that that's something that came up, but that's exactly the kind of—of concern that you would have if this is—there's not any—there are no standards to be—to be applied to it. I—I've not heard that that—I haven't heard, in fact, any particular reason for—for doing this, and so I don't know of any particular targets of it. I think it's probably, more than anything, a long standing desire on the part of the Commission, and that long standing desire has been more aimed at low—low enrollment degrees than—than other things.

**MCROBBIE:** Questions or comments from around the campuses?

**GERENCSEK:** This is Stephen from South Bend. I just wanted to express my appreciation for having the legislative liaison come and speak to the UFC previously, earlier in the winter. It was very helpful for letting us understand, you know, sort of beyond what's simply in the newspapers, and to be able to ask some questions was very helpful, and I hope that that might become a tradition ongoing into the future.

**MCROBBIE:** Oh, absolutely. I think it's—I think it really is very helpful for people to understand the kinds of things that we face dealing with the legislature, and I thought Jeff did a good job when he was here, and we have another session starting—it sort of sounds like it's going to be very soon, that's starting January, and [indistinct comment] meeting of potentially—assuming the vote is positive on the Constitution, of the reconstituted UFC, then, and I'll certainly make

sure Jeff comes to that meeting to brief people accordingly on what we'll—what we will be facing in the budget session. And, of course, by then we will know what's happened in the state with the state election then, and that will have—that may have some effect, obviously, on the legislative agenda of the governor, whoever the governor is. Other questions or comments from anybody?

**WHEELER:** Yes, Bill? [indistinct comment] that today is a very important day in Washington. It's a Supreme Court hearing on the health benefit, and the question's come up as to whether or not the university might change its health benefits on—if—depending upon the outcome of the decision [indistinct comment] Supreme Court upholds. Do you have any—any thoughts on that?

**MCROBBIE:** No. Not, I mean, by which I mean, we're going to have to wait and see what the Supreme Court says on the matter, I think, before we can see whether that's going to affect us or not, and whether that requires us to make any decisions, Bill. It'll—but it's obviously a decision that many people are waiting for with great interest. Other—any other questions from anybody? Okay, let me—let me move on to agenda item six, the Resolution on Research Misconduct, and I'll ask Steve Burns to introduce this one.

#### **AGENDA ITEM 6: RESOLUTION ON RESEARCH MISCONDUCT**

**BURNS:** Okay, so this is a second reading of a change in the research misconduct definitions, and associated portions, and the goal is to bring Bloomington and the regional campuses in line with sort of national definitions, and what is done in the IUPUI campus for the definition of research misconduct, and really it all hinges on page three, item two, that's show in cross out, where we have here a—an inclusion of issues that are typically thought of as compliance issues under the plagiarism, falsification, and fabrication phrase, which is number one, and most everywhere we stick to research misconduct is these major forms of intellectual dishonesty that item one handles. At the last meeting, people had some concerns that they wanted to be assured that compliance issues were still properly being dealt with on the campus. I looked, and there's enough rules that I can't summarize them. I took—took the liberty of asking John Baumann to come, because he's the one who brought this discrepancy to our attention when he was the head of the REAP office, and suggested that because some faculty were sort of being stuck in a double jeopardy, they were having a compliance issue, which they were working diligently to fix, yet they were also being forced to follow under misconduct rules, which intellectually is sort of the big gorilla to me. And he suggested that we move into compliance with what most universities define as misconduct, and leave compliance to be handled by compliance processes. And so John's here to ask questions if people want to follow up on some of the issues they raised last time. The discussion didn't cause us to want to change any of the proposed portions of the—propose changes I guess is the best way to say it, so we're still coming forth proposing a change in the rules. It doesn't apply to IUPUI. They already have

the set of rules that we want to move to. It does impact the regionals and Bloomington, but I—in my view, it's to the positive, it's to clarify this distinction between fabrication, falsification, plagiarism, and compliance issues, which are handled in other manners. So questions?

**TERRY:** Just one clarification. This applies to IUPUI, but it's just the—it is what they currently do?

**BURNS:** The second phrase—the first phrase is in their definition.

**TERRY:** If we adopt circular U7-2012, it applies to IUPUI, but it is in conformance with what they already do.

**BURNS:** Yes, I agree. I'm sorry. Better stated.

**MCROBBIE:** Is John—do you want to speak on this at all?

**BAUMANN:** Only if there are any questions. I mean, I agree with everything that Steve mentioned.

**MCROBBIE:** Any questions from anybody?

**ESTELL:** Given what you just pointed out, this would bring us into compliance, I'm assuming the note on page three would probably be deleted because that's where it acknowledges IUPUI is different, and at this point—

**BURNS:** Yes, you're correct, actually I thought I had—

**ESTELL:** —I mean, it's just a footnote.

**BURNS:** And there are changes that are also follow through—later in the document that they follow directly from the item two.

**TERRY:** Yeah, on page nine and eight, eight and nine.

**BURNS:** And these are intended not to raise new issues, but to just be natural consequences of deleting that item two.

**MCROBBIE:** This comes from Research Affairs Committee, or?

**BURNS:** It's coming from the Research Affairs Committee. It's been discussed at Bloomington Faculty Council, and now it's coming as a second reading here.

**MCROBBIE:** Right, that's right. So it doesn't need a second, it's coming from the committee. So we have that in front of us as a motion to adopt the—the policy, the university-wide policy. Any more discussion from anybody? Discussion? Discussion—discussion on any other campuses?

Any discussion? Alright. Let me put the motion—all those in favor of adopting these new procedures, signify by saying “aye” [Aye]. Against? Against, same sign? Okay, I think that’s passed I believe unanimously. Alright, thank you for that. And this—the item on University Strategy for Global Access to Health—who’s taking—who’s introducing this item?

#### **AGENDA ITEM 7: INDIANA UNIVERSITY STRATEGY FOR GLOBAL ACCESS TO HEALTH**

**WINDSOR:** [indistinct comment] we discussed at our last meeting but due to lack of quorum we were not able to vote on it. So it’s coming from the Agenda Committee as a motion for the UFC to vote on. We couldn’t do it officially last time, but a show of hands last time was all in favor, so we just need to make it official while we have a quorum.

**MCROBBIE:** Do you want to sort of summarize it in just a couple of sentences, Jack, for people who may not have followed it from last time? Or is there—yeah I know there’s a sheet, but— but just for the benefit of other people?

--end of part 1—

**ATKINSON:**

**BURNS:**

--start of part 2--

**ATKINSON:** --that allows the university enough flexibility to deal with—with university and faculty IP properly, but still to make the necessary accommodations that will be necessary to allow for an expansive distribution of these products in the developing world.

**MCROBBIE:** Yes, Herb?

**TERRY:** Just checking. Point five on this is basically, I assume, a charge to the president that we will form an ad hoc committee of faculty administration representatives, IURTC, and students, to proceed?

**MCROBBIE:** I guess that’s how you could interpret it. It doesn’t specify anybody else, and that—that’s broad enough that I think it gives—

**TERRY:** —You can work with that?

**MCROBBIE:** —Gives people a chance to explore these issues, which are complicated, and I take Steve’s point.

**TERRY:** And that, to me, is the satisfaction in this. I mean, we have a habit of adopting resolutions and nothing happens. This one does say that we're going to continue to investigate the problem, and puts [indistinct comment] the president to create the committee.

**ATKINSON:** I think the students who are spear-heading this will take—will want to take this to the Trustees at the earliest opportunity.

**MCROBBIE:** Take it to them in the sense of informing them of this, you mean? I mean, this is not a matter of—

**ATKINSON:** I think they—they would like some kind of recognition from the Trustees that they're on board with this also.

**MCROBBIE:** Well, I guess we can discuss this in the Trustee Agenda Committee, and I—in one sense, under the delegation of authority, doesn't need the Trustees to—to be involved in this, so, I mean, I think they can certainly, if they have an opportunity, they can inform the Trustees, and I'm not certain the Trustees will want to—would want to get involved in voting on something like this, but anyway, let's—that's another issue. Is there any more discussion on this? Any more discussion? Let me, then, I think this is—who is this coming from as a motion, Simon?

**WINDSOR:** The Agenda Committee.

**MCROBBIE:** The Agenda Committee again? Okay, alright. Let me put this motion, since there's no further discussion, all those in favor signify by saying "aye" [Aye]. Against, same sign? Against, anybody against? This is carried, too. Alright, agenda item eight, the policy on Mergers, Reorganization, and Elimination of Academic Units, et cetera. This is to be introduced by Rachel Applegate and by Herb Terry. Rachel or Herb? Rachel?

#### **AGENDA ITEM 8: IUB AND IUPUI POLICY ON MERGERS, REORGANIZATION, AND ELIMINATION OF ACADEMIC UNITS AND PROGRAMS**

**R. APPLGATE:** Okay, the document that you've received [indistinct comment] was created by an ad hoc committee, appointed by the UFC to come up with an explicit policy for the Merger, Reorganization, and Elimination of Academic Units and Programs in those cases where they affect core schools. So each campus has its own policy to handle programs that are on that campus, and this was intended to fill a sort of gap in the policy portfolio. It was a very collegial process, and there is unanimous assent, you would say, to this policy that has come out of this ad hoc committee. Basically, we took—we looked at primarily at the IUPUI and Bloomington policies. IUPUI is more structurally complex, and the Bloomington is both simpler and more recently revised. So we started with that as our framework. We added in the principle that core

schools do affect both home campuses, and so it needs participation by people from both of those campuses. The mechanism for doing that is to [indistinct comment] the IFC, the BFC, and the UFC in the creation of an appropriate task force in each instance that would include representation from the campuses, from the programs, et cetera. They will prepare a report or have information on both the fiscal issues involved because there are almost always fiscal issues, but also education, research, and service issues. Most of the bullet points in the later part of the document simply reiterate some of the policies that are already in place, such as the maintenance of benefits, the tenure status expectations for faculty, and sabbaticals, so it's—we don't view this as a revolutionary document, it's more of a stating based upon those principles of how the university as a whole can proceed when there is a merger, reorganization, or elimination proposed for something that is in a core school. Herb?

**TERRY:** I don't have too much to add. The main thing I'd add is to emphasize what Rachel said. This is a prototype for ad hoc creation of committees by the Agenda Committee to deal with a specific problem that worked out, as she said, very collegially. We never met physically; we did all our work by teleconference. We used OnCourse. We got this done in a relatively efficient time.

As far as the substance goes, you know, the main thing here is to recognize what is, I think, very apparent, that fiddling around with a core school on one campus affects the members of that core school on that campus, it affects other parts of that campus, it affects the core school—the other half of the core school on the other campus, and it affects potentially the other faculty and programs on that campus that might be relying on something offered by the core school. The idea was to create something here that was flexible, could react rather quickly, but is also needed right away because obviously the New Academic Directions report proposes changes in core schools. Each campus is, in various ways, thinking of changes. I can tell you, from attending budget conferences on this campus, that there are effects of core school units on this campus, of changes being considered at IUPUI, and this is a rapid mechanism of getting that laid forward. The committee doesn't have any ability to make any decisions about anything. It quickly prepares a report, and I would think the report would be useful to all of those on both campuses and central administration considering core school changes.

**MCROBBIE:** This one, Herb and Rachel, again, this is coming from—

**TERRY:** The ad hoc committee.

**MCROBBIE:** The ad hoc committee. So that probably, I think, means it doesn't need a second reading. So this is a motion.

**TERRY:** It's through the Agenda Committee.

**MCROBBIE:** Yeah, this is the first reading. Proper—effectively through the Agenda Committee. Questions? Discussion? [indistinct comment]

**GJERDINGEN:** Well, Herb, I've got a question. We did this on the BFC as well. You had the questions about tenure, and then it would also link with reassignment.

**TERRY:** Yes.

**GJERDINGEN:** And so if they can't find a mutually agreeable, but—

**TERRY:** —The answer to that—

**GJERDINGEN:** —you have tenure, but do you have a job?

**TERRY:** The answer to that, I'm afraid, is as ambiguous as it was in the Bloomington Council. When that paragraph was examined in the Bloomington Council, people pointed out that what's supposed to happen is that every effort is supposed to be made to find a new home that is mutually agreeable, and some people asked what happens if the effort fails. The Bloomington Council, in its wisdom, decided that it couldn't decide that, and couldn't say anything about that. What this thing does say is that it may be the case, if you eliminate a core school on one campus, that a reassignment to the other campus may be mutually agreed upon. It doesn't undercut the principle that tenure is campus specific. So this was about as far as I thought we—as we thought we could go—

**MCROBBIE:** — I think that's reasonable—

**TERRY:** —With keeping that option in print, but not solving every problem with it. Rachel, if you have anything to add to that, please do.

**R. APPLGATE:** That's correct. Yeah, tenure is campus specific, but because it's core school, it is certainly envisionable that there might be reassignment to another campus, and the bottom line is that not everybody may be happy in the end.

**MCROBBIE:** Other comments from anybody? Discussion? Any more discussion? Any more discussion? Alright. We had twenty minutes allocated for discussion here.

**TERRY:** Very effective ad hoc committee. [Laughter]

**MCROBBIE:** [Indistinct comment] on Herb's advocacy has been so Ciceronian that it—everybody's, you know, fallen in to line. In that case, I think I'll—I'll put the motion. All those in favor of adopting this. This is a first reading. Remember, so this will come back at the next meeting. All those in favor of adopting this new policy, signify by saying "aye" [Aye]. Against, same sign?

**WINDSOR:** We vote on it next time.

**UNKNOWN FEMALE SPEAKER:** Yeah, this is just a first reading.

**MCROBBIE:** That's what I—oh, sorry. We can't—we're not. Sorry. Well, we've got a sense of the meeting on it. [Laughter] Sorry, you're quite right. But it comes back, obviously.

#### **AGENDA ITEM 9: REVISED POLICY ON FINANCIAL CONFLICTS OF INTEREST IN RESEARCH**

And there's a revised policy on financial conflicts of interest that Steve and Simon are going to bring from Research Affairs. Steve or Simon, who's...?

**BURNS:** Simon, do you want to take lead?

**ATKINSON:** Yeah, I can take the lead on this. So we've—we had Ciceronian advocacy over the last item, on this one we have maybe it's Neronian advocacy from the NIH on this, so this is basically something we have to do if we still want to get funding from the Public Health Service, so principally, the NIH. So, I thin—is Eric Swank there, in Bloomington?

**SWANK:** Yes.

**ATKINSON:** Is Eric there? So, I'm going to leave the details to Eric. But basically, NIH has passed new financial new conflict of interest rules under a great deal of pressure from the Congress, but we have to comply by August if we are to continue receiving funding from NIH. This policy does—does include one thing that I hope you'll like that I guess was in the old policy, but I just noticed it. "Investigators shall not be subject to burdensome random disclosure requirements." So I [indistinct comment] currently subject to [indistinct comment]. [Indistinct comment] leave it up to Eric to deal with the substantive [indistinct comment] in the policy.

**SWANK:** Yeah, so as Steve said, this comes out of new NIH regulations that will take effect—will take effect in August of 2012. We are required to have a policy that will meet the terms of the new regulations, and our existing policy is founded in the current set of NIH regulations, but the set of rules that go into effect in August 2012 make a number of substantive changes. The dollar threshold for disclosure, which currently is, as a general rule, at \$10,000 of an outside financial interest lowers down to \$5,000. There is also a requirement that travel be disclosed if a researcher or an investigator receives travel funded by a private company outside the university; that needs to be disclosed to the university. And as Simon said, this comes out of a lot of pressure on the NIH. There have been a few cases of bad actors out there that have sort of driven the regulations in a more stringent direction. So, yeah, I'd be happy to take any questions or march through it in more detail, or whatever you'd like.

**CALLOWAY-THOMAS:** I presume after we pass this, then your office will notify the feds that we've done this, or what?

**SWANK:** So, by August 25, 2012, we just post it on our website—

**CALLOWAY-THOMAS:** —Okay—

**SWANK:** —And that's how we indicate that we have the new policy in effect. As you know now, we have an online disclosure system for collecting financial interests from faculty and researchers; we'll have to change some of the questions, but that backbone will continue to be the way that we solicit disclosures from investigators. One of the new things in the regulations is that we have to provide training. Right now, what we're intending to do is to put some slides in front of the disclosure, and make that all online training, so that when you log in to make your disclosure, you'll look at the training slides, and there, you know, complete the online training as required under the NIH regulations. Again, to try and keep it with the minimum of burden as possible.

**MCROBBIE:** Yes, Herb?

**WINDSOR:** So this will be—

**MCROBBIE:** —What?

**WINDSOR:** So this will be only for NIH, not for NSF and other funding agencies?

**SWANK:** So the existing policy right now applies to all researchers at the university, and this policy draft would continue to apply to all researchers at the university.

**BURNS:** It's worth noting that we went back and forth on that a number of times since it's supposedly ethical rules, well why would some ethical issue arise to only one group of faculty, to know its compliance issues. The ethics, we sort of agree on our thresholds are arbitrary, but I think, in the end, the conflict of interest committees just felt it was better, more internally consistent, to say this should apply to everyone in terms of disclosure.

**CALLOWAY-THOMAS:** Does the federal government comment in terms of whether it should apply to one segment as opposed to another or are they silent on that?

**BURNS:** The federal—I mean, the federal government only requires this for NIH funded investigators. NSF has a similar rule, so we would have to do something similar for NSF. So from the federal government's perspective, it's a mandatory for investigators for NIH or NSF funding.

**ATKINSON:** The details of the policy would only be to—the policy changes here would only need to apply to NIH funded investigators, but it’s hard to see how the—the university could effectively administer a policy that differed between people based on their—

**MCROBBIE:** —Yes—

**ATKINSON:** —on their sources of funding [indistinct comment]—

**MCROBBIE:** —It’s just—

**ATKINSON:** —requiring a whole extra set of—of forms from the NIH—

**MCROBBIE:** —Right—

**ATKINSON:** — [indistinct comment] people.

**MCROBBIE:** I mean, just the imposition, in terms of people’s time and the cost of doing that is ludicrous. I just don’t think we could do it. Herb, you were trying—

**TERRY:** —I think you just addressed my question. This was driven by changes in NIH.

**SWANK:** Yes.

**TERRY:** Okay. So we do know it is currently consistent with NSF standards as well.

**SWANK:** Yes, so the—this policy would meet both NIH and NSF requirements.

**TERRY:** And is it, as it says here, designed to conform to federal law, but would it apply to state funded educational research contracts and that sort of thing as well?

**SWANK:** Yes. So the definition of investigator is anyone doing research at the university.

**TERRY:** So we are not in—we are not creating something that is in conflict with a state expectation either.

**SWANK:** No.

**TERRY:** Okay.

**MCROBBIE:** Okay. Questions, comments from anybody?

**ATKINSON:** There are some—people should be aware there are some annoying burdens that will come from this. For example, if you—if you travel, and you’re funded, let’s say by the American Cancer Society, to go review grants for the American Cancer Society, then you’ll need

to declare that as a part of this policy even though it's pretty obvious there's no possible financial conflict of interest, but then, nevertheless, it does fall under these new requirements.

**MCRROBBIE:** Alright. Thanks, Simon. Other questions, comments, discussion?

**GERENCSEK:** Just a quick question, and follow up, sort of, for any support for travel from a non-profit, that would be included as well, or a not for profit or other educational institutions?

**ATKINSON:** Yes, anything except a state or federal agency.

**SWANK:** And I think educational institutions are also excluded. So if another university funds your travel, you would not need to tell us about that, but you would need to tell us about non-profits funding your travel.

**BURNS:** So if you travel for professional organization, and it's—you're just going to have to report it.

**SWANK:** NIH got some pushback from [indistinct comment] on that, but last week, you know, NIH said they were not able to change what was written in the regulations of disclosure is still required, but they do suggest that you can be flexible as an institution about how you evaluate [indistinct comment], and so we'll take advantage of whatever flexibility we can process-wise.

**MCRROBBIE:** Okay. Any more discussion? More discussion? I think as a first reading, we just don't need a vote. We can have one. [Laughter] No more discussion? Okay. Ladies and gentleman, I think with that, with there no more comments on that item, that completes the agenda, and we are adjourned. Thank you very much.

**MEETING ADJOURNED: 3:14PM**