

**Agenda**  
**Indiana University**  
**UNIVERSITY FACULTY COUNCIL**  
**January 31, 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:** Jean Abshire, Simon Atkinson, Ed Berbari, Karl Besel, Hall Bjornstad, M. Todd Bradley, Stephen Burns, Carolyn Calloway-Thomas, LaNita Campbell, Rosanne Cordell, Stanley Davis, Nancy Eckerman, David Estell, Hal Evans, Tony Fargo, Charles Gallmeier, Steven Gerencser, Don Gjerdingen, Pat Harbison, Pamela Ironside, Hitesh Kathuria, Joan Kowolik, Steve Mannheimer, Michael McRobbie, Mohamed Razi Nalim, Laverne Nishihara, Michael Nusbaumer, C. Subah Packer, Sandra Patterson-Randles, Mary Popp, Fran Squires, Herb Terry, Lesley Walker, William Wheeler, L. Jack Windsor

**MEMBERS ABSENT WITH ALTERNATES PRESENT:**

**MEMBERS ABSENT:** Rachel Applegate, Corey Ariss, Randy Arnold, Charles Bantz, Zachary Berwick, Clifford Goodwin, Richard Gunderman, Michael Harris, John Hassell, Jorge José, Justin Kingsolver, William Lowe, Marjorie Manifold, Tim Mickleborough, Mary Beth Minick, Lori Montalbano, Yusuf Nur, Nasser Paydar, Una Mae Reck, Lauren Robel, Christopher Rutkowski, Jodi Smith, Ellen Szarleta, David Tataw, Michael Wartell, Tony White,

**Agenda**

1. Approval of Minutes  
<http://www.indiana.edu/~ufc/docs/minutes/AY12/11.29.11.pdf>
2. Agenda Committee Business (10 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\* (10 minutes)  
(President McRobbie and Professors Windsor and Calloway-Thomas)

5. UFC Reform Status (20 minutes)  
(Professor Simon Atkinson) [FIRST READING]  
<http://www.indiana.edu/~ufc/docs/circulars/AY12/U5-2012.pdf>  
<http://www.indiana.edu/~ufc/docs/circulars/AY12/U6-2012.pdf>

\*\*\*Executive Session\*\*\*

6. Discussion of Current State Legislation Pertaining to Higher Education (30 minutes)  
(Jeff Linder, Associate Vice President, State Government Relations and Professor John Applegate, Executive Vice President for University Regional Affairs, Planning and Policy)  
[DISCUSSION]

7. Indiana University and Purdue University's Mandatory Retirement Policy (20 minutes)  
[https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy\\_A-7](https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy_A-7) [DISCUSSION]

### Minutes

**MCRORBIE:** Alright, let's—we don't have a quorum, so I guess we—we're not acting in strict—strictly according to the constitution, so nevertheless, maybe I should leave the approval of the minutes, but I think we can maybe do two, three, and four in a more sort of informal setting. So, why don't we start, if that's agreeable to Carolyn and Jack, with respect to the Agenda Committee business?

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

**CALLOWAY-THOMAS:** Yes.

**WINDSOR:** I'll kick it off. I met with the ad hoc committee on core school mergers, reorganization, et cetera, to take a look at the IUB and IUPUI policies, our principles, and come up with a core school document that encompasses all of the core schools. They will be working on that. Another thing that came to my attention, just want feedback from other campuses, particularly IUB. A lot of people have—one person has experienced a one-year delay in remodeling one room in science, which delayed him kicking off his research for a whole year. We had an individual with the same problem, delay in doing a cell culture, a room delayed her for over a year. I'm just curious whether these are isolated incidents or has anybody else hear of any such things at the other campuses?

**CALLOWAY-THOMAS:** Carolyn here. We have not had any reports regarding the issue that you've raised.

**WINDSOR:** Simon?

**ATKINSON:** So you know about Physics. In Biology, we've had a small renovation that we put in in February of last year that was just completed incorrectly a few weeks ago, and is now having to be completely reengineered because it's not performing to the specifications that were in the original request.

**WINDSOR:** The problem with this particular incident in science, it delayed the new faculty getting his research off for a whole year, but it did extend his tenure period by one year to make up for that, but I just want to keep my ears open for anything like that. In addition, been hearing multiple issues with the marketing approvals being delayed, any sort of—

**MCRABBIE:** With what, sorry, Jack?

**WINDSOR:** Marketing approvals. Marketing.

**MCRABBIE:** Marketing—I mean, which marketing approvals? I don't know what you're talking about.

**WINDSOR:** For example, banners in the tunnels across the street up here. One issue with University College where it delayed just getting approval. I know IUB and IUPUI, you know, you have a lot more historical buildings at IUB than we do here, so I didn't know whether this [indistinct comment] shared services, whether anybody else was experiencing the same type of issues. I see no hands, so I take it it's an isolated case.

**BURNS:** I just wanted to go back to in terms of the architecture issue, I'm not empowered to speak for Optometry because I don't know all the details, but there have been a number of delays, and we probably don't report them because my informal assessment is there's always a lot of delays in that kind of planning. So, I just didn't want to leave it said that there's no problems.

**EVANS:** We have certainly experienced similar types of things in Physics, again, informally.

**MCRABBIE:** Well, anybody who's ever done an alteration on their house would have experienced delays as well, so these aren't—. Yeah, right. You know, Jack, what you might want to do is some of those—because I think it's important—there's always two sides to a story as it were.

**WINDSOR:** Absolutely.

**MCRORBIE:** But what you might want to do is collect a couple of what sound like the more egregious of those matters and refer them directly to Vice President Morrison. He's at a bereavement, so he will be out of action for a couple of weeks, but, nevertheless, I would send those to him in a week or two, just to get him to get comment on them through—I mean, it will go back to the relevant campus officials, but I think it's appropriate to at least ask him to have a look at those incidents.

**WINDSOR:** Alright. Carolyn, do you have anything else?

**CALLOWAY-THOMAS:** Oh, just to say that we're in the process of constituting a university-wide committee to investigate the free speech and the right of people peaceably to assemble issue that came before the BFC Council a few weeks ago, and that also came before some other councils from my understanding. So Jack and I will be—

**WINDSOR:** [indistinct comment] also.

**MCRORBIE:** Right. Anything else, Jack or Carolyn? Any quest—well, I guess we will come to questions in a minute, sorry.

**HARBISON:** I have a question—

**MCRORBIE:** --We will come to questions at question time, unless anybody wants desperately to ask something now. We have a quorum.

**CALLOWAY-THOMAS:** Hooray!

**MCRORBIE:** I think this, of course, is just indicative, it happens at every meeting. It's indicative of the—

**CALLOWAY-THOMAS:** I know, and I applaud at every meeting.

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

**MCRORBIE:** Well, but it's indicative of the problem that we have, and that's why I think the matter under five is so significant for us. Let me then return to get the minutes approved formally. Let me return to agenda item one, and ask for a motion to approve the minutes. I've got a motion—a seconder? A seconder from somebody? Have we got a seconder? I'm sure Craig catching all these.

**UNKOWN MALE SPEAKER:** Second.

**MCROBBIE:** Great. Any questions or comments on the minutes from anybody? Questions or comments? There being none, I'll put the motion to approve the minutes. All those in favor? [Aye]. Against? [Silence]. Thank you, everybody. The minutes are adopted.

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

**MCROBBIE:** Let me jump to agenda item three. There are a couple of things. Sorry, excuse me, I'm laboring under a cold, so I'll be spluttering and wheezing a bit. Let me just comment on a couple of things. Firstly, I wasn't certain whether she was going to be here today, but to welcome the Interim Provost at the Bloomington Campus, Lauren Robel, to her new position. We—

**CALLOWAY-THOMAS:** She came by, President McRobbie.

**MCROBBIE:** She came by where?

**CALLOWAY-THOMAS:** Just long before you came.

**MCROBBIE:** Oh, she dropped in? Right, okay. But she's—obviously she's not staying for the meeting, but to, obviously to welcome her as—she is, I believe, a member of this Council when she's able to attend. Of course, we, again, regret and we'll miss Karen Hanson, but Lauren Robel, I think, is a very able substitute and Interim Provost in that position.

Secondly, let me make a comment about the legislative session. We will be in Executive Session to discuss the state of some of the state—the current legislation from the legislature that Jeff Linder is waiting on to talk to us about that, and there, I think, you'll hear in much more detail from our head of government relations—state government relations—who, he's in the state house every day, and is at the [indistinct comment] so Jeff, I think, can give you a—and with whom I speak everyday pretty much—and I think Jeff can give you a pretty good account of the state of play in the legislature at the moment. I should add that at the moment, and probably for the next month and a half until they formally conclude, this takes up a lot of my time. I was, in fact, on the phone with Jeff for a while before—as I said, I'm on the phone definitely every day, and I've had—been in meetings the last month or so, the last couple of months, and I'll be in meetings on and off dealing with—trying to deal with various matters before the legislature. It tends to dominate our calendars around this time of year.

I should say that I do have some concern, as I'm sure we all do, at the continuing, what I think of as preoccupation with our fears that one sees with the legislature. Obviously they're concerned with issues like credit hours, mandatory transfer and acceptance, core-curriculum and so on. These, I think, are by and large matters that are central to the academic enterprise, and matters in which members of the academy are the experts in understanding these matters

in depth, and it is of some concern that we are seeing—we are seeing constant proposals that impact on these areas of the university's activities, and I noticed that this is now extended to the federal sphere. I mean, there's already been—there's always been issues in the federal sphere, but I think there was much, much to admire the president's speech at Michigan recently. On the other hand, there were some matters there that I think give us some concern, too. And when the reason for the increase in cost of education is because of the decline in state funds, to then penalize us because of that, because they are the ones who are causing that to happen, to some degree anyway, does make it a very difficult situation for us, and there really is a limit to how much it is possible for us to do without it fundamentally affecting the quality of what we do—or the scale of what we do as well. So that was a second point I wanted to make.

Thirdly, you'll have seen an email, I expect most of you, anyway, that I sent out to all faculty and staff around the beginning of the semester about child protection. There our goal really is to ensure that we are complying in every way with our responsibilities, both legal and otherwise, in this area. And I've also—and we really do have a large and wide ranging series of activities that impact on children. The more we review this, the more there are areas that weren't at first obvious as well. I've also asked Vice President Applegate and the University General Counsel to review all of our policies and procedures in this area, too, just to make sure there aren't any glaring omissions that we need to attend to, and that process is ongoing. I think with, John, from memory, I think you're going to report back in March, from memory.

**APPLEGATE:** Yeah, in fact, we hope to have a draft framework done in February, early February, it would be a framework that individual programs could fit into. Given the incredible diversity of programs and situations, one size won't fit all. But there are certain things that every program needs to think through, and so the goal is to identify those.

**MCROBBIE:** Right and then, fourthly, the response to the announcement of what we are calling the Summer Semester Initiative continues to be, at least from everything we've been seeing, continues to be very, very strong. I think it has played a role in quieting down some of the controversy that we saw last year in that area. Other institutions have followed our lead to a greater or lesser degree in that regard, and now we're doing some preparatory work on collecting data and preparing for the first of these semesters under the new arrangements, which, of course, the Faculty Council played a significant role in putting it in place.

And then finally, there's—people are probably aware of the FLAGS Early Alert System that is being put in place to sort of systematically identify students who may be struggling in their course work, and I've just approved the funding of the development of that just a week or so ago. And, John, again, that's being done in your shop. What's the data—about a year from now, I think, or is it less than that? I've forgot.

**APLEGATE:** It should be this calendar year.

#### **AGENDA ITEM 4: QUESTION/COMMENT PERIOD**

**MCROBBIE:** This calendar year, yeah, that's what I thought [indistinct comment]. Okay, so there are the five matters I wanted to raise, and let me then just jump straight to four in case there are any questions coming out of what I just raised and what Carolyn or Jack raised, or any other matters people would like to raise with us. Herb and I are coughing in stereo here.

**TERRY:** Yeah.

**WINDSOR:** President McRobbie?

**MCROBBIE:** Yes, Jack?

**WINDSOR:** I have gotten a couple of emails about limited submissions. Have we moved to just IU or still we consider it IUPUI and IUB separate in limited submissions?

**MCROBBIE:** Well, I'd have to get back an answer to you on that one. I have a recollection, though, I don't want to trust my memory, Jack, that there was some change at the NSF that's forcing this on us, but I just don't want to trust my memory on that. Let me get you an answer.

**WINDSOR:** There was a conversation awhile back, but we never heard anything, and some people have been trying to submit, and just wanted to get the policy.

**MCROBBIE:** Okay.

**BERBARI:** Well, just to add to that, some people have missed deadlines because we were not notified of limited submission. We were told that we missed the opportunity to compete. And so it seems, either de facto then approved or implied or there is a breakdown in at least announcing these types of opportunities to the two campus—between our campus and Bloomington. And so we'd like to not see it get to be a closet approach to this where people think they know what's happening, and others don't get to be informed.

**MCROBBIE:** I can't quite identify the speaker. Who's— Who—?

**BERBARI:** It's Ed Berbari.

**MCROBBIE:** Oh, Ed, yeah, right. Yeah, yeah. Okay, let me have that looked into and get some kind of response back on that one. Other questions or comments from anybody?

**WINDSOR:** Just a comment. I had one member of the Board of Trustees send me an email. One of his friends went to Dental School in 1964. Tuition was five hundred dollars. The state supplied four dollars for every dollar that a kid paid for tuition. In 2011, tuition is about

\$28,000, and the state pays twenty-nine cents on every dollar. So, paying attention to what the state is doing has really impacted tuition in the Dental School and every other area we work with.

**MCROBBIE:** Well, I couldn't agree more. Thanks, Jack. Any other questions or comments?

**WALKER:** I have a question.

**MCROBBIE:** Yes, South Bend?

**WALKER:** Can you hear me?

**MCROBBIE:** Yep.

**WALKER:** We just had our faculty—our Faculty Senate meeting on Friday, and there was some concern that arose about the fee remissions for summer school classes, and the concern has to do with what happens if we find ourselves in a deficit position, and we don't make up the money that we had hoped we would? Are there any provisions in place if this ends up [indistinct comment]?

**MCROBBIE:** You may have missed it in my statement when we announced this that I've committed to the university to cover any deficits that may arise in implementing the fee discounting initiative.

**WALKER:** I thought I heard that, and—but folks on our campus, including our upper administration, don't seem aware of that.

**MCROBBIE:** Well, I regret that because it was really clear in my statement at the time, but if you would like to—I'd encourage the Faculty Council there to bring this to people's attention, and maybe John can raise it with the chancellor there as well, but it was quite—

**WALKER:** That's what I thought. I had read that, but then when I brought that up, people seemed very unsure.

**MCROBBIE:** No, it was quite explicit what I said at the time. Yeah.

**WALKER:** Okay, well I will—thank you.

**WINDSOR:** Most of our faculty and deans know that. They've asked what's the mechanism, how do they report that? And I think that's what hasn't come out yet. Is that correct?

**MCROBBIE:** Yeah, I mean the detail I've had that going to be done, Jack, is yet to be worked out. This maybe being—it's maybe being overly pessimistic to be too concerned about at this stage.

**WINDSOR:** No, I agree.

**GALLMEIER:** Our chancellor at IU Northwest has informed our colleagues that that was the case, President McRobbie, that it's going to be covered. So we know about it here.

**MCROBBIE:** Right. Okay, good. Thanks, Chuck.

**CALLOWAY-THOMAS:** I have a question.

**MCROBBIE:** Yeah?

**CALLOWAY-THOMAS:** I'm listening with regard to your comment about members of the legislature really being involved in the specifics of managing academic components, and I know that the economic factor is really critical, and is playing a role, but are there other reasons why you think members of the legislature are getting involved in our business?

**MCROBBIE:** Could I maybe defer that to our Executive Session? But let me just add one thing, now I think it is the case that they see the rest of what they think of as the business very broadly speaking, and as much as we're part of business in this country having gone through pretty tumultuous upheaval, and they don't see the same level of, if you like, sort of restructuring going on at universities. Now, I'm not saying whether that's right or wrong, but I think the perception is the rest of the country, or most of the rest of the country has gone through some pain, and universities seem to be doing okay, and that hence there is the demand that we just have to be much more efficient in the use about the resources that are entrusted to us by the state before they'll consider significant increases in funding for us. Combined with the fact that, of course, that revenues are down anyway, although they have improved somewhat in the state, but I think that's the general issue, and it's not a matter just for our legislature. I think it's a matter for just about every legislature in the country, and it's a matter for the feds as well, the federal government as well. Yes, Bill? Hold on a tic—Bill first, then I'll recognize you.

**WHEELER:** Okay, thanks. Actually, I wanted to ask Jack if he could move his microphone a little bit away from his papers because we're getting lots of paper rustling noise and drinks and things like that. It appears to be simultaneous with your movement of papers.

**MCROBBIE:** The gentleman from Kokomo?

**BRADLEY:** Todd Bradley, IU-Kokomo. And we've been having ongoing discussions regarding the CUPA data, in terms of salary equity/compression, and we've been "battling" this issue for quite some time since—I've been here since 2003, and it's become much more apparent that that data has been overlooked or at least minimized, and so we've been—I've been meeting with the chancellor here, and our Faculty Senate, we've been discussing *ad nauseam*, but it appears

to no avail, and so the administration, they're saying that we each—they're saying that we don't have much latitude on individual regional campuses in terms of salary equity and compression. I just wanted to get your feelings or stance on that so I can at least relay that information to my colleagues here in terms of faculty salaries.

**MCROBBIE:** Well, the overall salary policy for the institution is set by the Trustees, always has been, but within that salary policy, the campuses are normally accorded some latitude. The level of that latitude has varied a little from year to year, but certainly over the last three or four years, over the last three or four years, the Trustees have been adamant that a principle criteria for salary increase has been merit, and so that's been reflected in the various models that have been used for the salary increases. So within those parameters, by and large, our salary increases are determined on the campuses and a matter for the campuses within those parameters. John?

**BRADLEY:** Yeah, we have various models that we've used and—since I've been here, but there's no standardization. We just need some intent from our administration, what's their intent, in terms of the CUPA data, the 2008, 2011 data, in terms of, is that going to be the benchmark, is there going to be some latitude within different schools and colleges, because we have different models, but there's no really standardization between excellence, satisfactory, unsatisfactory, et cetera, so we just wanted, you know, some more feedback in terms of latitude, mostly in terms of which model.

**MCROBBIE:** John?

**APPLEGATE:** Right, I can just add to that that the CFO, Neil Theobald, has been in active discussions with the—with all the chancellors, obviously including the regional chancellors, about what the salary policy for the coming year ought to look like, and one of the issues that's come up is exactly this issue, and how to handle it. Obviously it has to be within the overall guidance that we get from the Trustees, and that, you know, in the current climate, does not offer a whole lot of room to maneuver, but that's—and I don't think he's near a conclusion to present to the president and Trustees about how to do it, but this is at the center of his thinking and talking to others about salary policy for next year.

**MCROBBIE:** Yeah, I know this was an issue at Southeast. It may well be an issue on all of the regional campuses. So, it will be a matter of seeing what can be done in the salary guidelines for this year to maybe possibly address this issue.

**BRADLEY:** Okay, and lastly, what—do you have like a tentative deadline in terms of when we can expect that information from Theobald and the Board of Trustees so I can at least relay that information on to my colleagues?

**MCROBBIE:** My recollection is it goes to—I think it’s—the budget goes, that’ll include those guidelines, goes to the May meeting of the Trustees, but please don’t, again, don’t hold me. I don’t want to trust my memory on some of these matters because it may have changed this year, but we can get that information back to you as well.

**BRADLEY:** Okay, okay thanks.

**MINICK:** Question, follow up. Following up on the salary compression thing, I mean I understand the concept of merit raises, but when they are within an extremely narrow band, and then you have new hires being hired at market, you’re still going to get salary compression if you have caps on allowable merit raises. I mean just to say that we have raises based on merit, but then when you’re only allowed to give one or two percent, that doesn’t help much.

**MCROBBIE:** Right. Well, that’s exactly right. Other questions or comments? Yes, Herb?

**TERRY:** A question to be sure I understand what has been said. What you’re saying is that Neil and the Trustees, or at least Neil, are looking at how you might factor compression and equity into a merit salary system?

**APPLEGATE:** Well, merit is the baseline. Right? I mean, any adjustment would have to be based on merit in any event, but it’s whether you can go beyond the average, and how much, and how all that would work.

**TERRY:** I assume we wouldn’t give salary compression money to an unmeritorious person. So, I mean, I think there’s...

**APPLEGATE:** Well, that does have to be, you know, spelled out.

**TERRY:** That’s an issue to address. Okay.

**APPLEGATE:** And remember, that salary cap is an average. It is not a cap on merit awards, it’s that what the average has to work to.

**TERRY:** Right, I think the fundamental question is how do you run a merit system when you have very little amount of money to give period. And that’s always difficult.

**APPLEGATE:** Very difficult.

**MCROBBIE:** Okay. Any other questions? I think we are about at the end of the time allocated for this, but any other—oh, Ed?

**BERBARI:** I just need to hear one more comment, President McRobbie, on the limited submission of grants in the sense that is there an evolving policy on this because, as I said,

some people were very upset that they missed some deadlines and then they were told—they were told that they weren't eligible because allotment of limited submissions had been [indistinct comment], and so I think is there, in your point of view, is that something that is going to happen, or it's going to be phased in? You know I think it really tends to become, then, a very competitive situation between, at least our campus, I would suspect in Bloomington, and perhaps the other regional campuses.

**MCROBBIE:** Yeah?

**BURNS:** Steve Burns in Bloomington. I'm the head of our Research Affairs Committee. I can't really give an answer, obviously, for the administrative efforts. I do know that NSF was pushing about changing the definition of university to not allow three components, which we've typically had. The dual Research Affairs Committee have urged the university to be careful about how they revise it. Obviously if there is a federal mandate, we have to follow it, but many other things have limited submissions and we don't have to make it so every little foundation would have one for the whole university. But I know they're looking in to it. I can't give an answer, but I do know some of it is in response to the NSF redefining what they wanted to see, or that is what I've been told.

**MCROBBIE:** Right, that's what I said at the outset, Steve, that I believe, Ed, that there's an issue with the NSF having changed its policies and procedures here, however what I said was I wanted to be absolutely certain about that, and I'll get answer back through Carolyn and Jack to go out to the members of the Council.

**BERBARI:** Okay, I understand having to respond to that, but if it's the case, then we need a better communications line to let us know when those deadlines internally are, so that we can at least be—you know, be able to compete.

**MCROBBIE:** Right. No, that's a fair comment.

**BURNS:** And I would urge us to make sure the response is nuanced in that we don't have to have—it would be very good for many types of granting agencies that we can have multiple opportunities. There are cases where more opportunities are better because you've got a better chance. And so when we can use the dispersed nature of the University to our benefit, we should do so.

**MCROBBIE:** And we've always done very well by doing that in the past. So to push—whether it's been forced on us or not. That's what we need to check. Okay, why don't we move on to—

**CORDELL:** I have another question, please.

**MCROBBIE:** Yeah, go ahead.

**CORDELL:** During the Agenda Committee report, it was mentioned that there was a free speech issue that was being investigated, and we have not heard about this on our campus at all, but it sounded like at least a couple of campuses knew what you were talking about. Could you explain that a little further?

**CALLOWAY-THOMAS:** Yes, the Occupy Wall Street movement that got off the docket so to speak very early last semester generated some concern about whether Indiana University, Bloomington in particular, had any policy governing when and where and under what conditions students could protest. That was one animating issue. The other animating issue had to do with the protests and arrest of a student in the Kelley School of Business about—what? Three or four weeks ago?—and some questions arose as regards whether police acted in good faith and in a good way, and so some members of the Bloomington Faculty Council, and some members of the Bloomington Faculty want to know what we can do about that, and so we just decided it would be practical and necessary for us to have a policy in place to deal with such issues and matters. And we sent out—Craig sent out a request to all the campuses asking what you have in place as regard free speech policies. Did you not get that request? Because we did—we have collected some information.

**CORDELL:** I didn't see it, but our Senate president isn't here. So I don't know whether he received it. Thank you.

**MCRORBIE:** Okay, so that's useful to note that all faculty councils and senates on all campuses have been sent this request by Craig for this information.

**CALLOWAY-THOMAS:** And we'll look at all of the policies that exist, find out where there's synergy among the policies, and then we'll task the presidents of the various councils to come up with a uniform policy to govern across all campuses as much as it is possible to do so.

**APPLEGATE:** I think the Student Code of Conduct covers this.

**CALLOWAY-THOMAS:** Well, some people have said that, yes.

**MCRORBIE:** It's pretty extensive and wide ranging and critical. It covers a lot of things. Okay, let's move on to agenda item five, which is being introduced by Simon Atkinson at IUPUI. Simon?

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

**ATKINSON:** Thanks. So this is up to the discussions that we've been having of reform of the UFC to address some of the issues that we've had with the functioning of the UFC over a number of years. And the task force compiled a report, which was circulated, and I believe generally well received on all of the campuses. So the next step in this process will be to amend the

Constitution of the faculty and the UFC Bylaws to give effect to these changes, and so what I've done was to go through the Constitution and Bylaws, and you have two circulars, U5 and U6, I believe. One is a copy of the Constitution of the faculty with what seem to be the necessary amendments [indistinct comment]. And the other is a copy of the UFC Bylaws with the necessary amendments. Also I should say at the outset that there are other problems with the wording of the Constitution and Bylaws that the UFC Reform Committee didn't really address because, in some respects, we haven't been operating within the letter of the Bylaws in particular. And so, you know, you could come up with a whole other set of amendments to both documents to address some of those issues. My approach was to really address the immediate changes that will be necessary to give effect to the reform recommendations, but we should probably consider changes in language that will be necessary to fix some of the disconnect between the documents and the actual process that we use, but Craig and I had a discussion about this, and it turns out that there are a lot more changes in language that are required to fix the disconnect [indistinct comment] to actually reform the process as we use it now.

So what you have before you is what's necessary to give effect to the reform recommendations and nothing else. It turns out we have a fairly minimal set of changes in the documents, so if you turn to the Constitution first, which is U5, the first change, I think it's the first change, is under Article 4, which is changing the ratio of representatives to the number of faculty from 100 to 200. This has the effect of reducing the number of representatives from Bloomington and Indianapolis from I think probably fourteen and fifteen to—fifteen and fourteen—to seven and eight, and then all the regional campuses will have one elected representative for each campus.

The other change in the Constitution is under section 4.4, the discussion of officers, and this is mostly just to rename the Agenda Committee because in the Bylaws changes we give the Executive Committee expanded powers, and so it seemed to need a new name. It's doing a lot more than setting the Agenda.

But then if you turn to U6, this is the—these are the Bylaws for the UFC. Again, there are a fairly small number of changes. The first is in Article 2 of the Bylaws, changing—again, changing the name of the Agenda Committee to the Executive Committee. In Article 3, we're specifying that voting members of the Council will be counted towards the quorum because a little later on we're adding a couple of non-voting members, but we didn't want it to count against the quorum of the Council.

The non-voting, ex-officio members are in section 4.A, and those are specified as the Executive Vice Presidents, so that would be the Provost from the Bloomington Campus, the Chancellor of IUPUI, and the person with the EVPURAPP. How do you pronounce the acronym title?

**APPLEGATE:** Try to avoid that!

**ATKINSON:** Vice President for Regional Campus Affairs and Matters starting with P. So these will be ex-officio and non-voting members of the Council again, so we keep the number of people counted towards the quorum to a minimum. Then there are some changes again just changing the references to the Agenda Committee. The meat of a lot of the reform is in section 7, and this is where the Executive Committee is given expanded powers. So this allows the Executive Committee to approve any legislation that falls within the authority of the UFC on behalf of the Council. Such legislation having the same effect as if it had been approved by the Council in the normal manner, with some provisos, which are that the Executive Committee must have given notice to the Council membership that it intends to do something, that there is unanimous consent of the Executive Committee to whatever action is proposed. And then there is a remonstrance process, so at least five members of the Council would have to oppose an action taken by the Executive Committee, and then it would not go into effect until it would be referred to the whole Council.

And then there are a couple of types of legislation which are excluded from this, and those are amendments to the Bylaws and the Constitution or anything that section 2.4.c.4 is a section of the Constitution that requires a super-majority in the UFC to alter the powers of campus [indistinct comment], so [indistinct comment] the section of the Executive Committee.

Then there are some name changes. Then the next major change is to delete almost all the section on standing committees. The only committee that remains is the Honorary Degrees Committee, and then section 3 has always allowed the Agenda Committee, now the Executive Committee, to create and appoint ad hoc committees and task forces, and to make recommendations of faculty members to serve on administratively appointed committees. So under this provision, the Executive Committee can create necessary committees to deal with whatever business seems to need it. So this, I suppose, is sort of first reading of these amendments. The constitutional amendments require a two-thirds majority of the UFC, then they have to be referred to the entire faculty for a vote, and as a process leading up to a vote, there are supposed to be town hall meetings on each campus to allow faculty input. The changes to the UFC Bylaws can be done by the UFC itself, and I think, again, it requires a supermajority of the UFC to vote on those changes.

**MCROBBIE:** Discussion? Who's the parliamentarian? I've forgotten who it is.

**DETHLOFF:** They are not in attendance.

**MCROBBIE:** They're not in attendance? This is a first reading, so basically it's for discussion only, at this point, I think. That will be the procedure, wouldn't it? Okay, so let me open this up for discussion, comments, questions from anybody to Simon or anybody else? Yes, Herb?

**TERRY:** I have a question for Simon. I think the reform proposal stipulated that there would be at least one physical meeting of the Council each semester, or something like that. Where is that found in your changes?

**ATKINSON:** So actually that's what's currently required, is that—we're currently required to have only one meeting of the UFC in the Fall, and one meeting of the UFC in the Spring. So that actually didn't require changing anything.

**TERRY:** So we didn't decide to add that it would be an in person meeting, since I think what would be one important issue [indistinct comment], to actually get people together so they could meet with the president, and that sort of thing.

**ATKINSON:** There are some things that we need to enshrine in changes to the Bylaws, and there are some things that fall into the sort of category of good practice. So there are some things that I didn't put in as changes to the Bylaws or the Constitution to try and minimize the number of changes that I think we would do as good practice, but I wasn't sure whether we needed to really enshrine those in writing, but I'm open to other opinions on that.

**NISHIHARA:** This is Laverne from East with a question. It's about the Constitution, Article 4.1, number 3. Is this supposed to be changed? It reads that ex-officio voting members of the University Faculty Council shall include the president of the university. Is that something that is going to be changed in keeping with the proposed reform?

**ATKINSON:** The proposed reform retained the president as an ex-officio voting member of the UFC, that was not a change recommended.

**NISHIHARA:** I see. Perhaps my understanding had been that the president would vote only to break a tie. Is that not true?

**MCROBBIE:** I think that's been the tradition. Laverne, I think that's been the tradition, and that may even be in the—may be in some document somewhere, but—

**WINDSOR:** That's in Robert's Rules.

**MCROBBIE:** Yeah.

**WINDSOR:** That's in Robert's Rules.

**MCROBBIE:** Right. Okay.

**WINDSOR:** But he can always option to step down as chair of the meeting to exercise his voting right, too.

**NISHIHARA:** Alright, that answers my question. Thank you.

**MCROBBIE:** Yes, Steve?

**BURNS:** Could you just discuss, I understood the rationale for not having committee chairs on the UFC to thin it down, but as I read the Bylaws, there will be no regular standing committees of the UFC? Can you discuss the rationale for that? Will there be a mechanism in place to create them expeditiously?

**ATKINSON:** Yes. That was the rationale, Steven. So the experience has been that the committees that are enshrined in the Bylaws have, for the most part, ossified and ceased to function, and when things have functioned well, it's been more on an ad hoc, informal basis, like the Research Affairs Committees from Bloomington and Indianapolis getting together to discuss various issues like the IRB issues. And the reform is designed to allow the Executive Committee to quickly appoint committees that are necessary to address issues as they come up, different aspects of business as they come up, without being tied into a rigid structure, which doesn't seem to have served us very well recently. I did get one question that Carolyn forwarded to me from Bob Eno about the Finance and Facilities Committee. And Bob was wondering if the—if the Finance and Facilities Committee might be a committee that we might want to maintain as a sort of watchdog of university budget issues. So I think that's perhaps something that we should consider.

**CALLOWAY-THOMAS:** And I'd also like to add, another reason why we decided to strike all of these dysfunctional committees was because we want to make this document sort of a living, dynamic document that really expresses what we do, and not what we want to be doing. [Indistinct comment] document, as opposed to a [indistinct comment].

**BURNS:** I guess I would ask the committee, and I don't know if it's feasible, so I wouldn't even insist it be considered, but if there shouldn't be some way that, from a bottom-up point of view, for instance when the two Research Affairs Committees started talking, that that conglomeration, at least temporarily, have some authority to say we're acting as a unified—in other words, the Executive Committee could temporarily bestow the power, and I don't see how [indistinct comment].

**CALLOWAY-THOMAS:** You don't think the ad hoc provision would allow for that?

**BURNS:** Will everybody understand it if they aren't in this discussion now?

**CALLOWAY-THOMAS:** Well that should be a burden on us.

**MCROBBIE:** It seems to have been absolutely straightforward, Steve, that in that sort of circumstance, you just, you know, you would say to the co-secretaries, look we have a matter

here that basically covers both campuses, and we've got the two campus base committees working together on this, would you be agreeable to constituting them as an ad hoc Research Affairs Committee for some period of time. It seems quite straightforward, and I'd be amazed if anybody would object.

**CALLOWAY-THOMAS:** Oh, I would, too.

**MCROBBIE:** Yeah, yeah.

**BURNS:** I wouldn't expect an objection, I just wasn't sure it would be clear that's how it's done.

**MCROBBIE:** That's the beauty of an ad hoc arrangement is you can move quickly on these kinds of things. Yeah?

**GJERDINGEN:** I have a question about committees. In the present language, it says, "faculty members." Does that contemplate the possibility in an appropriate case you may have staff as well? Like, I think, for example, that there's a Benefits Committee that may be an appropriate place for input. Right here, it just says "recommendation of faculty members".

**CALLOWAY-THOMAS:** Where are you referring to?

**GJERDINGEN:** This is in—where are we here? What [indistinct comment] committee section, the last section on the committees, right after the Honorary Degrees. Create ad hoc—that's our main charge. It says, "make recommendations of the faculty members," and I just didn't know what that—the issue of staff. Because we have, at the Bloomington campus, there's some staff representation and certainly input on some of these—

**CALLOWAY-THOMAS:** But do they serve on such committees that you're referencing?

**GJERDINGEN:** Well, I'm thinking, just the example say of the benefits, whether if you'd wanted input from staff, in what way that was possible, not that it is required, but is possible in an appropriate case.

**ATKINSON:** My view on that is that there are certainly committees where staff should be involved, but the UFC wouldn't be the right body to appoint the staff members to those committees. The staff bodies would be the right bodies to appoint those members.

**TERRY:** I would read this paragraph a little differently. It says, "the Executive Committee may create and appoint ad hoc committees." I would think the Executive Committee could choose to make or appoint an ad hoc committee of the UFC including staff or administrative faculty, administrative [indistinct comment] or something like that. And that the second phrase here, "and may make recommendations of faculty members to serve on administratively appointed

committees,” simply says Executive Committee with the president, if he asks for faculty members to serve on something he’s created would be the body that would name the faculty.

**CALLOWAY-THOMAS:** And that’s certainly, I think, the intent because we really do want to make it such that members of the staff [indistinct comment] for example serve on the Benefits Committee. Yes, and that would be an ad hoc creating committee.

**PACKER:** This is Subah Packer from IUPUI. I just have a little concern about, and I think some of the other faculty on this campus also share the concern, that there’s maybe been a bit of an erosion of faculty governance in part because of a reduction in the tenure track faculty, which is already not following our Constitution anymore, and then I understand the goal of reducing the size of the Agenda Committee, and creating this Executive Committee, and so forth, but you know I have a little concern that we may end up with an Executive Committee that’s composed of basically of administrators. And—so I wonder if we shouldn’t build something into our Constitution since we’re now changing it, to protect against that, that maybe a certain percentage of the Executive Committee would be required to be non-administrative tenure-track faculty.

**CALLOWAY-THOMAS:** Specifically where are you referring? Could you tell me?

**PACKER:** I’m just saying in general that, you know, so right now our Agenda Committee has a number of people on it who are administrators, and if we reduce the size of the Committee, there is the potential that the majority of them, if not all of them, might end up being administrators. So then we would maybe have an Executive Committee composed of administrative people.

**CALLOWAY-THOMAS:** But wouldn’t the members of the various Councils vote on the individuals they’d like to serve? My point is—

**PACKER:** —Uh, yes, but—

**CALLOWAY-THOMAS:** --would they not be able, then, to in some way through their voting power, regulate that?

**PACKER:** I don’t know. Does everybody even know who’s an administrator? I think it wouldn’t hurt to have something in here about that, percentages.

**MCROBBIE:** Who are the administrators on the Agenda Committee who—

**APPLEGATE:** —Department chairs, and so on?

**PACKER:** Yeah, and so forth. Exactly.

**CALLOWAY-THOMAS:** Oh, I see what you're saying—

**PACKER:** — know on our own governing Council at this campus how many of them are actually tenure-track faculty who are not in administrative positions currently. I would say that that ratio has significantly changed in the last few years.

**CALLOWAY-THOMAS:** Well, that's not of concern specifically to the BFC, I don't think. We're heavily laden with administrators, that is chairs of committees, directors of programs, that sort of thing, but that might be the case on other campuses, and that's certainly something, I suppose, we should be concerned.

**PACKER:** I think it might be the case on other campuses. I think it is the case here. And I just think we need to consider what will be the composition of an Executive Committee to the UFC.

**CALLOWAY-THOMAS:** Well, that's something we can talk about, I suppose, but I just think that people can regulate that through their votes, you know, in the process of voting.

**ECKERMAN:** Well, yeah. Excuse me?

**MCROBBIE:** Yes, go ahead.

**ECKREMAN:** This came up, I can't recall exactly what contest, I think P & T, it might be good if, on a ballot, you're required to reveal an administrative position before we vote. That's what— and then it's up to the faculty to choose whether they want to vote for that person or not. That's what we did with our P & T committees, and it's because so many people have a little piece of administrative function, and so it's just something [indistinct comment] on the ballot so people can make the choice.

**CALLOWAY-THOMAS:** I think that's fine. Free exercise of the right to vote, and being well informed. Knowing who is and who is not an administrator, and whether one wishes to have that person on the Council or not, and particularly chairs do not serve.

**GERENCSEK:** This is Steven Gerencsek from IUSB, and I'm here now, sorry I was a little late getting here. We have actually a rule in our IUSB Faculty Constitution that the president, and implicitly the vice president, may not have an administrative position that is over fifty percent time, and the only people who would be serving on the Agenda Committee would be people holding those positions that still might be, you know, forty-nine percent or less still might be greater than what Subah was trying to draw attention to, but we have, at least, tried to address that in terms of our own Executive Committee and so forth.

**MINICK:** I don't think the Council is necessarily made up of the presidents. I mean, excuse me, the Executive Committee. It says five elected members. It doesn't say they have to be presidents.

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

**ATKINSON:** It's five elected members plus the presidents.

**MINICK:** Well, plus the presidents, I understand that.

**MCRABBIE:** Other comments?

**UNKNOWN MALE SPEAKER:** This is [indistinct comment] IUPUI, this [indistinct comment] I think there's some comments in the Constitution that still refer to an Agenda Committee.

**ATKINSON:** Oh, in the comments sections? Yeah, those don't—those will need to be revised accordingly, but they're not part of the Constitution itself, so...

**WINDSOR:** Thanks.

**MCRABBIE:** Alright, we're reaching the end of the time allocated for this item, so are there any other major points that anybody wants to make. Simon, you look like you're—

**ATKINSON:** So what I'd recommend is that the Agenda Committee take this discussion into account, and then bring these changes back for a vote at the next meeting.

**MCRABBIE:** Yes, Herb?

**TERRY:** Since we didn't get this until yesterday or something like that, could we have a few days to send comments to Carolyn and Jack if we have other things to say about this?

**MCRABBIE:** Sure, I mean that seems reasonable.

**WINDSOR:** Absolutely!

**CALLOWAY-THOMAS:** Absolutely.

**MCRABBIE:** I think we're happy with that way of proceeding.

**CALLOWAY-THOMAS:** Could we impose a deadline? You can impose this since it was your idea.

**TERRY:** No, you're the ones who have to deal with it.

**CALLOWAY-THOMAS:** Simon, what are your thoughts about a deadline?

**ATKINSON:** Well, end of the week will be good.

**MCRORBIE:** Okay. People agreeable to that comment? Any further comments to Simon or to the co-secretaries by the end of the week, and then a revised version, if necessary—well, probably will be necessary, a revised version to come back to the next meeting for a final vote. Are people agreeable to that? I mean, I don't think we need a formal vote on this, just a sense of the meeting, I think it seems people are happy with that. Okay, alright, thank you, Simon, very much for all your hard work on this. Much appreciated. I think we now move to—

**\*\*\*EXECUTIVE SESSION\*\*\***

**MEETING ADJOURNED: 3:30PM**