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(some tests of the microphone)

Brand: I'm very pleased to be here on this beautiful campus (006) and I know it's (007) the seats on this side are all taken (007). Faculty officer's business, of (009) first is a brief report update as it were on the state funding situation. The commission for higher education of (011) university 6% recommendation (011) the house ways and means cut it back even further, and generally when you go into the senate, house of senate finance and then the senate whole usually there's a cutback from the house and then it goes into (014) committee in the house and senate. The senate finance committee however made a recommendation that was a little bit larger than the house recommendation, which is extraordinarily unusual, kind of no one really remembering recalls having seen that before, and so the senate recommendation, I don't know if the senate formally voted on it, but they've got a committee there, (018 Pullman?), really constitutes the base from which we work for the rest of the session and it's reasonable. And particularly the senate met our request for 4% maintenance CTI, the commission and the house have knocked that down to about 3.5 so the senate moved back to our full recommendation for maintenance. We have requested that 2% for quality improvement, one of which was for information technology, the senate however did keep that recommendation at 1 year cash which is the house, but the senate then improve, again, on the maintenance portion of our budget so that is very good and we're thankful for that. The senate came close to but did not fully embrace the commission and the house's recommendation for capital. In particular at this point a drop, the Bloomington Business building phase one from the list. And that may well come back, we're still discussing it from this point it's been dropped, however the senate did agree to the Neal Marshall project on the Bloomington campus, the inherent Auer school phase 2 project at IUPUI, and the Southeast Science building renovation on this campus, so that's a good place to start from. We will go into conference committee to set the legislature (032) conference committee probably in 10 days or 2 weeks and probably rescind upon the meeting will take place on April 25th, so things will heat up a little bit. But once we get that information from the legislature we will go to our board of trustees in early May to set the tuition and salary level. But again, I'm encouraged and pleased about the position that the senate took and they did a nice job. Any questions on legislative activity?

My next and final issue is that a report that we are establishing a review panel for the chancellor of the IU northwest campus. This is a normal five year review, this is not an extraordinary review, it's a normal five year review, and then having us be informed through the campus governance recommendation for faculty members and we'll have that place for these activity (042). That is the chancellor Richards is the only chancellor or senior administrator up for that five year review. Issues about that? Okay. That's my business. Now I turn it over to Bill Schneider for agenda committee business.

Schneider. Thank you very much. Before I report on the agenda committee business which is not much, I would recognize Kurt Peters of the (047) who has an announcement.

Peters: Well, I and the others from IU Southeast are very pleased to have your respect (048) and if you have a few minutes, 5 or 10 minutes after the meeting is over, before you have to take off, I'd be delighted to take you about 75 yards or so to the next building to the new Performing Arts Area to see the new theater and concert hall. We have somebody there to show us around and have the venues all open and so forth. It won't take very long, we'd be delighted if you could do it, just meet me here in the corner or meet us in the corner and we'll walk outside and go right over.

Schneider: Thank you. One of the reasons we're holding these meetings on regional campuses is for those of us in Indianapolis and Bloomington to see what it's like to go to another campus. For those that drove down from Indianapolis though we were always (056) traffic jams, we had to sit there around (057). Most of the agenda committee's business had to do with (057 blanks?) or follows this meeting, suffice to say there will be some things to do next year and those that are continuing. As you all know this is the last meeting of the UFC and I thought it would be appropriate to recognize those for whom this is their last meeting, and appropriately thank them for their service. So if this is your last meeting would you please stand so that we could applaud you? (applause) In the proverbial joke not so fast, Ed, this is Ed's last meeting of the UFC and it's also his last as co-secretary of UFC. It's impossible of course to thank you for all that he's done, I haven't been at Indiana University or with UFC long enough to thank him, but in the year that I've been here I'm sure you'll all recognize that (067) most to thank him for, for what he's done in showing me the ropes, as it were. The faculty are often described as having three responsibilities. In teaching, research, and service. And we spend most of our time trying to talk about teaching and how it's related to research, and research and how it's related to teaching, (070) environment, service kind of falls by the wayside, I think those that know Ed will see that (071) body of service we all see the research and scholarly approach that he has towards it and goodness know we all learn the way he teaches us with us here (073) really an embodiment of all three of these in the course of his service we all now have, thank you very much Ed. As a small token, in appropriate reverend, (075) we give you this as(075) (applause).

Greenebaum: Well I am very much, I've had the, it's really been a great pleasure and I'm very grateful for all the support that everyone has given me because this is a job that takes a lot of support and I'm very fortunate to have it. In trying to, a few weeks ago, trying to talk to a couple of people into being on the ballot in Bloomington to be my successor I said, well what is the thing that I can say to be a little more convincing and the best I could come up with is that after 2 years well I asked myself if I was glad I'd done it and the answer was yes, and you all have been (086) in Bloomington have made that yes a reality, so thank you very much.

Schneider: Well that concludes the agenda committee report.

Brand: Any questions or comments? Seeing, hearing none we will move on to the fourth item on the agenda which is the Intellectual Property Policy. Let me call Fred Cate who will bring us up to date on discussion. The call today is an action item issue for this policy.

Cate: Thank you very much. If I could focus your attention on the (093) you've seen outside, it's turned up (094) I encourage you to take that to heart. Since last week I've had the opportunity to talk about the intellectual property policy there have been several developments and I'd like to bring you up to date very briefly. One is that the full committee, the intellectual policy property committee has met in some detail to go over the changes resulting from negotiations that I described to you at the last meeting, to go over the comments from the last meeting, and to address some additional issues, that in addition I've presented the policy to the BFC and my students, the IUPUI faculty council, where you had, to say the least spirited discussion. We've also had the opportunity to receive comments from a number of faculty members and (101) at IUPUI and those comments lead to some additional proposed changes in the policy and very quickly, very quickly, I promise you I would just like to highlight those for you. They should all be red-lined with one exception in your version. We've taken the red-lining with underlining because nothing else seems to duplicate well, the effect of that is it may not come immediately to your attention in section 2, assignment and protection of intellectual property, paragraph b, applicable intellectual property, the word moral has been deleted and ethical has been substituted in its place. That does not suggest that we believe that this is an immoral business but rather that moral was the wrong word. In section 4, revenue distribution, there have been several changes that I will just quickly highlight for you. One of them is we changed the organization a little to simply break up the campus separately so that the creator and campus and university now stand in separate (109 variables?) we've also specified as we previously had for the university's use of these proceeds from intellectual property commercialization we made the same specification for campuses to support these (111) committees. That's what this money is intended for. The percentage between the campus and the university has been slightly changed so that the campus now has a 25% interest throughout, previously that was a declining interest from 25 going down. Now it is 25 across the board. And we can see there are a number of additional paragraphs that have been added, some of them larger than the serial in (115) for example providing that the university research policy committee will outdate these dollar thresholds as necessary but not less than once every 5 years to keep pace with inflation. Similarly to provide that although the creator, the distribution of the revenue among creators is still subject to whatever agreement the creators may have reached that's what the (118) would say, in the absence of an agreement to the contrary it is now the default solution which is as you would expect, equal amounts to creators. We've now made explicit what we had in the committees discussions considered implicit, which is that each campus will develop a written policy of the distribution of revenue on that campus and we've made clear as you'll see in the small roman numeral paragraph 7, that those policies shall ensure the set distributions equitably reflectable on schools and departments on the development of applicable intellectual property. Into the next paragraph you'll see that we had simply omitted which was an error the chancellor of the creator's campuses from the exceptions process you will also find that same change at the very end of the policy under implementation where we have a general exceptions procedure that's section 10b, and the chancellor had been omitted there. That change is not reflected in the draft you have before you. So I want to flag that especially I don't believe that it will be controversial, but 10b now reads "in the event of exceptional circumstances require any exception to the terms of this policy such exceptions shall require the written consent of the vice president of research and the dean of the graduate school or his or her designee, the creators, and the chancellors of the campuses and deans of the schools directly affected". Now, returning to those section 4 on revenue distribution under paragraph under section b equity interests, we made a change which was agreed upon at the last

UFC was certainly suggested at the last UFC that we simply state that the fair (134) value of the equity interest shall be determined, rather than specified, that the university shall make that determination. And finally we have effectively made a reorganization and what section 7 (137) licensing of applicable intellectual property to creators, we previously had what were effectively had the appearance of two conflicting sections in section 2 we had material on assignment and licensing, and in section 7 we had material on assignment and licensing. All we've done is combine all that in section 7 so there's no question to what we flawed through how that would take place. I mean when we (140 substituted) a change there if that 30 days in the last subparagraph, subparagraph #2 has been changed to 45 business days in recognition of the amount of time that it would take to transfer in coordination with the appropriate university officials to make these determinations. I will be happy to answer any questions though I certainly doubt there will be.

Brand: Any questions or issues? Please.

Hoyt: I still, I guess (146) appropriate or not but I still wonder why it wouldn't be consistent as it has been in some other cases to have the say 25% be standard for the university and the other increasing amount for campus so that could be better distributed into the development and research for furthering things that were bringing in money in the first place.

Cate: I did not ... I think this has become a dialogue we're good at now. I think the answer of that is effectively twofold, one the important substitutive point, preserving the substitutive maximum disability for the university. What the university does with its share, it may all go the campus and it may all go to the individual school or department, but that's the choice of the university which has the maximum range of interest at stake, and second it's a very practical pragmatic compromise. From our discussions with members of the board of trustees, it is absolutely clear that a policy provided that would not pass, and we are very concerned about having a policy which is both workable but also would be a good one.

Boshmann: Yes, could you update me on the issue of instruction materials, especially instruction materials as it relates to the (158) materials that belong to, who controls them?

Cate: Well let me say there is nothing that hinges on whether they're electronic or not. If they are instructional materials within this definition, which would include the what we call the traditional instructional materials and also software would be included as well and be accepted that it is conveying the same type of information that traditional instructional materials, those materials are owned by the creator. Those are exempted from this policy. They are not part of the definition of applicable intellectual property. Now the question that was raised at IUPUI which was very important and a subject of confusion about and a series of emails I've think we've done a fair amount to clarify that at least that confusion is not realistic and that is if the university is providing exceptional funding, take for example strategic direction grant, it may as a condition of providing that funding seek to impose other terms. So that it may say as a condition of developing this course or whatever with SEC funding, we want you to make that material available to the use of the university, and then that would be entirely appropriate within this policy, and that obviously leaves a serious question, a question which I don't think there's anyway we can resolve in advance but will be certainly a matter of the URPC and the faculty councils to consider once this policy implemented I

speaking optimistically there, and that is what do we mean by extraordinary resources, what's the difference between the traditional (174) and other resources that a faculty member might receive in terms of extraordinary resources. We didn't feel that was something that could be defined in this policy. But as is the case now when the university, when the (176) part of the university provides some sort of exceptional funding, it already often attaches conditions which have to do with assuring that that funding is spent in a way that maximizes its' benefit to the university.

Hoyt: Was there any more discussion on some of the (180) concerning the student's work or classroom, there was a concern I guess the engineering and computer science people that might be students (182) holding back from their best work because of fears of it being taken over, and then what really happened you tacked on the instructional program itself, and also the question I know this (184) but we're presuming that we have a lot of people from community that use our resources and what kind of warning systems will they be given if they are using computers in the library that anything they work on may be owned by the university?

Cate: I should say and I want to be absolutely clear about this because I'm sure that the members of the committee would appreciate it, I'll be clear about it, the committee has not met since the IUPUI presentation on Thursday. Therefore there has certainly been no committee discussion of that. There has been a reasonable amount of sort of email and individual discussion about that and I think it's fair to say that there's a certain amount of skepticism about whether that is actually true, about whether a student would fail to produce his or her best effort because of fear that if it was ultimately some commercialization of this, that the university might assert it's rights under this and the individual student would therefore have to share revenue from that resulting in the future moreover, this isn't intended to suggest that we think we're sending you a policy that is flawed to start with, but we absolutely recognize that in the process of implementing this policy, there will certainly be implementation choices that will have to be made, choices of which the administration will have to make in which the URPC will have to be involved, and this may ultimately lead to some either application or an exception for the policy, or an amendment to the policy. And if in fact the skepticism that I have expressed is incorrect, if there is some evidence that students are withholding best work, or that members of the committee are either politically outraged or that there is some sort of negative ramification of this, I'm confident that we'll see to (202) that type of reception or we'll see a speedy amendment to this policy.

Besch: We also developed a dialogue for that (204) about one to one parties and I guess I'd like to ask you the same question but in a different way, and that is in what way are inventions done under contract, protected for the contractor in this policy?

Cate: Well, I think the fact is that they receive the ultimate protection there because what this makes clear is that if university resources are used, the university then obtains the right to negotiate, so that if we have a funder, let's say Ely Lilly, that's going to get money, Ely Lilly does not have to worry about the individual creator's intellectual property interest. If that funding would come to the university then the university resources were therefore be used in the research it funds, then the university would negotiate on behalf of the creators and the university with (212) which is of course the way it's also done today. The distribution of whatever revenue the university received would be governed by this (213 well) revenue distribution policy. But, the university would be of

course free in negotiating with Ely Lilly to address whatever issues Lilly had outside of that revenue distribution issue. That clearly this policy would govern absent an exception approved or the exception of procedure, but the point is here that those rights are being centralized in the university to then if Lilly says (218 look) for a ten million dollar investment and we want to own the rights, then the university has the right to owner under this policy could say fine, we will now sign the rights to you. However what the university receives in payment for the commercialization, not the research funds, but for the commercialization, would be distributed under this policy.

Besch: My (222) thank you.

Cate: Give me time I can (224)

Moats: I would like to propose an amendment. Under Article 1 definitions. Section b, under creators, strike the word students from that sentence.

Brand: Before I ask for a second do you want to explain why?

Moats: The reason why I guess this is the third time I've run through this and the more I think about it the more I really believe we should strike students from this document, at least in this definition, first off it would I think it's more or less a matter of principle than with practicality. Students (232) this institution are really being singled out in this document I think for intellectual property creations by students than what would be applicable, and really be unlike taxpayers or like anybody else who would be using this institution, we're kind of being thrown into this policy. You have a very good point but some students might read this in engineering and some other technical fields and might may possible hold something back in their research, in their studies, in their work, for fear that found something, they might have it taken away by the institution. And I think that with reasons like that, and also for reasons that Lilly students are not employed by this university, we are individuals who are paying to study here. Being placed into this document as I guess as definite as we're being placed into it as pertinently as we're being placed into it is wrong. I would much rather see us going into a policy where we looked at other persons in (242) institution that could (243) so students who were doing graduate work here were paid a stipend, there work could be covered. If students were using applicable intellectual property using university resources we discover those, we're still covered under the policy. The difference is that unlike any of the other groups that would be using that we're being singled out in the beginning. I think that it's very important in order to maintain the student relation between the students and the institution that we strike out students from the document and the document now and use these other areas inside section B to I guess tell the students under their intellectual property policy. (250)

Brand: Is there a second for this motion?

Davila: I second it. If I may, Bob, I think the wording other persons implies that it's students that might be employed and (253) making sure that students are aware and informed. In other words, faculty staff, students, or other persons employed by Indiana University. And I think the wording there is possibly purposely ambiguous but at the same time it's straightforward, that these students

as you say if they would be employed and it's a flag for people to at least know that this policy students included.

Brand: Fred, do you want to address this issue?

Cate: I suppose I should on behalf of the committee. Whether the word student appears or not is probably irrelevant, the other language makes absolutely clear that any person who uses university resources is covered by this policy. The committee intended that to be any person, there was not at all an implication that you had to be an employee for that to be there. I think the language supports the interpretation that any person means any person, we have included the word student simply to flag to warn students in advance this policy would apply to you. I would feel it somewhat underhanded if (266) to students to then strike out the words students so that we know it will be applied to students both when you take the word students out. The committee felt the students should be included, students should not be singled out for special treatment, they should be treated like any other member of the community, both one amendment that the BFC made when the policy first came before them last year, the one substitutive change that they asked for which of course the committee agreed to, was we had only included students who were receiving some sort of financial aid or employment to the university and the BFC felt strongly that that was inequitable and inappropriate, that all students should be covered by this policy, therefore it would strike me as a somewhat unusual situation to have a policy that expressly covers faculty expressly covers staff and administration, implies covers students and was the intention of the drafters that it cover students, leave the language in that covers students, but take out the word students so that that one group is not given notice. Explicit notice that this policy applies to them.

Brand: Fred, one more question. To the best of your knowledge is that approach dealing with students standing amongst such policies across our peer institutions?

Cate: There is a great deal of variety in this matter, largely because many policies don't talk about using university resources, they talk about receiving any money from the university. So in that case students are covered but usually only student employees, AI's, research assistants, and people who receive income from the university.

Coffin: I tend to agree with Fred. What I think create more rather than fewer problems to cover the students by stealth rather than explicitly, particularly if we back up to definition a, applicable intellectual property defined in many (288) discovery of (289) and developed with university resources, and then it's got some exclusions. And the key notion there is that it's developed with university resources. So for example a student, say in engineering, or in computer science, who and here's a question of how strictly (293) defining university resources, develops something on his or her own computer and (293) is that covered, normal university resources?

Cate: I think one might name (294) but it is (294) but that might be an issue that needs to be clarified. On the other hand a student who is using university lab facilities, university computer services facilities and so on, they are governed by this policy where we say students are covered or not. And I think it's we'd be unfortunate to create an ambiguity there.

Greenebaum: As it relates to this issue, Fred, how does the concept of traditional groups of scholars and creativity apply to students?

Cate: The committee has assumed it would apply in the same way that it would apply to faculty, in other words we would look at the same types of activities and say what is a traditional product a student would be creating in terms of research or instructional material, and then those would be excluded.

Greenebaum: So that the work that the student does in the course of doing assignments for class or other works in the ordinary course of student work ...

Cate: I think that is fair to say it's the committee's understanding. Essentially what we talk about here is student research say in a lab that a student is involved in a research project that might very well start passing the balance of traditional.

Peterson: I might mention a couple of things here and I think you can argue on both sides of this issue in a number of different ways but speak against the motion that is on the floor here on a couple of points. Number one, a student who develops something in the university will have much more value associated with that product if the university's name is associated with it and number two, they would have assistance if this was of value by our licensing group in our (317) licensing on that product. The second point I would like to make is related to educational value, yes the students do pay tuition, but this is a state institution and the students only pay a fraction of the value of that education so the rest of the value does come from the state and from the institution.

Peters: I want to ask a question about B there also on page 4 that (324) did the phrase of clause who creates or discovers applicable intellectual property using university resources only modify any other person, or does it modify all of the other groups that are listed in the I think it's to be read either way but it seems to me to be relevant to the moment.

Cate: That is precisely the sort of issue that would throw me. I don't think it matters whether it's read as modifying underlines it was intended to only modify other person because we only get to applicable intellectual property if we use university resources. In other words whether it modifies it there or whether it modifies it in line a, everybody is modified by that phrase someplace.

Peters: Okay so that ...

Cate: I'm not trying to be flippant by saying ...

Peters: (336) member or student either way, it would only be able to cover under the policy if there were university resources used in the (338).

Cate: Absolutely, absolutely.

Keen: I guess I'd like to speak in favor of the amendment because it seems to me that there is a distinction between the student employee and the student who pays tuition, even though they might not pay the so called full value when they pay tuition, it seems a little strange to me

particularly when we have various lab fees for students in addition to tuition already paid to say we're going to, you're going to pay for a service that we deliver to you and having paid for that, if you make any additional money or something off that, we're going to levy you another fee, it seems to me it would be sending to a student going to Kinko's, using their computer there, and if they happen to create something of value Kinko's coming back and saying, by the way, having already paid this once we now want to levy a bit of a fee. I think that the terms other persons employed by the university would cover all students who in fact are being given some kind of access to university resources without having being rendered a fee for those services in the first place.

Brand: Would you care to address that?

Cate: Let me say that I disagree with that. I don't think students are paying for coming to the university in order to create and then market intellectual property. I think they're coming as part of the educational experience and we've exempted all of the words that we could think of that are part of that core educational experience. To the extent that we have written this policy this may be something that the UFC objects to but we have written the policy so that anybody who comes to the university and uses university resources, uses public resources, to create intellectual property which subsequently has market value, the university has a claim under this policy to a share of that market value. This isn't paying for use, or not paying for use, or paying to be in a classroom or not paying to be in the classroom, in every case we have said we think when that happens the university has a legitimate claim.

Keen?: I should clarify. I meant what I said earlier (366) reminded me she's had occasion to look at the Big 10, intellectual property policy this is how (367) our lives are she always carry these with her. (367 Firstly) all of them cover students outright, so in terms of the Big 10 this would be in keeping with that position. Professor Orr?

Orr: We seem to be taking two directions of the (370) a word or not and the other seems to be (372) coverage. I understood there to be no question about what we would not make coverage which makes all this or some of this conversation perhaps irrelevant. It's only excuse me a question of if they are covered, in fact they were (375).

Cate: I would agree with that if I may speak to that I would be very concerned about having a policy which covered and identified a group of people and not telling that group of people that you're covered by the policy.

Orr: It's the purpose of the amendment to not make the students covered, in this case we have a very different discussion going on here and the question (379)

Moats: The purpose of the amendment is basically to take out students from this policy at least not the coverage but just the word, more behind it. It's not a situation of ambiguity, I think that anybody that uses university resources, anytime that someone goes into the library to do research, you should probably tell them that whatever you do in this facility if you market this, it could be deemed the property of Indiana University. Possibly. Students I think could have that sort of understanding if they're making that sort of progress. The reason I say taking students out of this because to me puts

up a red flag, grouping us in this list of creators, in this definition of creators, that may be very unfair to students I think in the end, just in the standpoint that we are being given this I guess maybe following the same rules without really the same benefits of being a faculty or staff member in this situation.

Brand: But you would stand to gain if those commercial, a student would stand to gain to the same extent as a faculty member.

Moats: I would agree with that situation, I would agree with that, that a student would gain the same as a faculty, but I guess the purposes for a student being at an institution, is not necessarily to create but to learn. And I guess my reason for wanting to take students out and for wanting to make it you would consider a little more ambiguous, would be nothing more than just in my mind maybe is a concern that I have with changing the role of a student in an institution or even just by mentioning this or bringing this out on the table. And just yeah, bringing this out on the table, making it very difficult for a student, for making the student to be able to maybe seeing themselves in this role.

Brand: I'm getting the feel that you've discussed this a lot. Just with Fred and then two more comments and then we'll stop on discussion.

Cate: I'm not sure I understand the objective of this amendment but I might suggest that if one of your concerns is that students are lumped with other employees of the university the word students could simply be moved down, to say any other person including students who creates or discovers applicable intellectual property, thereby removing students from faculty, staff and other persons employed if that's what your objection is, so making clear the notice which I think we owe students and every member of our community, that this policy will apply to them. If that responds to it I would support that amendment. Does that settle the issue?

Moats: From my point of view yeah.

Brand: then let's stop.

Peterson: Would you reiterate that Fred?

Brand: Fred could you repeat that?

Cate: I was simply saying that I have no objection to deleting the word students from the first sentence of subparagraph B from the first line and inserting instead in the third line to read from the semicolon, "and any other person, including students, who creates and discovers applicable intellectual property using university resources."

Brand: Bob, would you please withdraw your motion and restate as Fred described.

Moats: I withdraw the motion and instead I propose a motion in the third line that would add after any other person, comma, including students comma who creates and discovers applicable intellectual property using university resources.

Brand: Ok, and I assume the second would be comfortable for that.

Davila: Yes.

Brand: I think the second line goes in third line. Now hold that thought because we have to get the main document as part of the primary motion because this is not a committee of this body so it has to be introduced separately.

Carr: I do move that this document be accepted as a formal document that it will be submitted to the trustees for (437)

Brand: Is there a second for that?

Coffin: Second.

Brand: Thank you. Ok. Now, I heard your motion. Is there any further discussion, I'm sorry it's a little out of order but I think we've finally got it right. Please, Professor Fineburg.

Fineburg: (441) had sent a bunch of us email last night ...

Brand: One second I want to let's deal with this motion ... we'll come back to that, I want to put this one to rest. All in favor please say Aye. Opposed? Concluded now, sir.

Fineburg: Dean Coleman (448) sent us an email with if I may quote from the friendly amendment to the document you have and I just (451) this email last night. I think that the research could be created (453) and especially (453) that frequently caution professional (454) could create a sphere that has been successful in obtaining a body of return thus it only seems appropriate that the research community benefit from the profit of it's work. What I'm suggesting that if the UFC votes on the issue, that (458) be placed on proposal designating the proceeds and (459 paying?) to the university the royalties and the sum of the benefits to the research as an institution. Now it's clear from the language of the document that the intent is in fact that these moneys approved to research activities. My friendly amendment is that in fact and (466) has a copy of it I'm concerned that funds occurring from applicable intellectual property be spent to further research and technology transfer on the university and campuses reporting and supervisory (470) should be established at the university and campus levels to provide faculty oversight in the disposition of such funds.

Brand: We need a second to consider the (473) is there a second to this?

Besch: Second.

Brand: Second, okay, now again on the advice of parliamentarian a friendly amendment literally only be accepted if the entire body accepts it by consensus otherwise it becomes an amendment to modify. We have not followed that policy in the past, I appreciate that, but we will do so now. Let's now discuss this amendment, this amendment is on the table, and we can take this friendly amendment (482). Yes, please.

Orr: It seems to me the document that's written recognizes the responsibility of (485) in that this amendment if I understand it seems to deny that what goes into research is what goes in other areas is a very (488 functional?) matter and that there are dedicated funds that go into research that are obviously offset by reapplication of other funds. And I thought maybe this discussion came up at the last university faculty council (491) so it's not clear to me at the moment (492) the purpose of what purpose the amendment would serve.

Brand?: If I may interject something, I had a conversation with Dean Holden about these same matters what he was concerned about was the level of assurance as it were that the university's funds would be used for research and technology transfer activities, and the document does say that explicitly but you wanted some additional reassurance and I think that's the purpose of this amendment, to provide additional reassurance. It also builds in an accountability feature that I don't think is absent or intended to be absent from the original document so I take it that's the purpose, is that fair?

Cate: I think maybe it's improper for me to speak a matter that doesn't directly affect amending the policy I assume that this would just amend the language used to adopt the policy. Let me just say this was raised with me yesterday I sent Dean Holden a lengthy email yesterday pointing out that the policy explicitly says research and technology transfer activities that the policy explicitly provides for the university research and policy committee which the purpose of which has been outlined in prior documents and it's clearly identified here as participation in the decisions making regarding implementation of this policy. I received an email from Dean Holden this morning indicating that he had been concerned about university funds, a long discussion, and the final sentence is I'm happy with the university's commitment towards funds being directed back to the research community. To the research committee, excuse me. Obviously you can adopt whatever language you want implementing it if the purpose is merely to underscore that that language is already there I suppose speaking just for a moment as a lawyer it would be make more sense to acknowledge the fact that that language is already there because the amendment by itself would suggest that the language is not there and that might be the future in viewing what we mean the language to mean for research and technology transfer activities, we felt it was pretty clear the discussions with the administration and trustees suggested that there has been no dissent as to what that means. A suggestion now that research and technology transfer does not mean research and technology transfer I think only throws in ambiguity where it is not necessary.

Fineburg: I think again the report and (535) in the faculty oversight are not specifically defined in this document and that's the issue (536) try to (539).

Cate: I don't want to take up the council's time in (541) the point that you are conceived are clearly established in documents the UFC passed last year. That point is not something new, it's not something the committee came up with, that's something the UFC has adopted and is currently the situation as involved the relationship of (546) and the UFC this is effectively saying that we are not in any way abridging that agreement that was amended to last year. This policy in no way does this, this policy explicitly says that the URPC will have a ...

Tape 1 Side B (000)

... as it's been clear on it's none of this is first of all it's in the principles which have been adopted both by this body and by the trustees, it's in the discussion here about implementation of intellectual property, about consultation with the URPC.

Coffin: (005 explicitly?) in section 2b2.

Greenebaum: Well my comment was going to be (007) I take it the concern isn't with and the operation part of the language (008) been reporting supervisory mechanisms should be established. I take it we have the institution in the URPC. And the question is, how is it going to be used, and will it have a role in supervision and receiving reports on the use of the money. Would you like to, perhaps President Brand can say something about your intentions and understanding about the role of URPC in that (013).

Brand: Again looking at 2b2, it says responsibility with disposition of applicable intellectual property resides with the technology transfer subject to policies developed by the URPC. The URPC plays an essential role in the document says that and it quite satisfies ...

Cate: If I may direct it at 9a as well, which says it again, primary responsibility for identifying, protecting and managing applicable intellectual property resides with the technology transfer it's under the policies developed and supervised by the URPC.

Brand: I'm comfortable ...

Cate: I thought that was clear that we've already said that.

Greenebaum: I take it the what Don Fineberg and others who are urging this motion on us would like to be secured is that these statements include the disposition of the funds generated and allocated to the university's share that the policies talked about in this policy address those question of disposition of funds as well as the manner in which they accumulate.

Brand: Oversight means accountability in the terms of (025 doling?) out the disposition of funds, of course that would be done both to that policy committee as well as through our end and there are a number of faculty members four I believe who sit on the (027) board and those faculty members are recommended through this body so there's already a series of oversight mechanisms set in place, I should not like to see us try and replicate additional oversight mechanisms which can only make it more complicated and indeed threaten the authority of the boards and groups we've already appointed to do this.

Peterson: I might mention as a comment on this that the URPC task method have looked over this policy relative to their responsibilities and looked at university contribution and have taken it as their role to develop such policies, such oversight and also the reporting mechanism (033) the policy but the reporting mechanism by which the president would report to them and the (034).

Greenebaum: I would urge us to defeat the amendment not because the spirit of it is wrong but rather in recognition of that this is something that's understood to be important, that we should give the URPC and the (038) directorate and (038) an opportunity to work out a way of working and we

should expect to receive some report from them the URPC in due course and when we do receive that report we can ask them all these particular matters are being handled.

Brand: Dr. Fineberg, my sense of enough of these comments is that no one disagrees with your point, but it may redundancy may unfortunately be misleading but that the substance of everything you've listed here, I haven't heard anyone disagree with you.

Fineberg: I agree, and I think I'm going to withdraw (044) discussion that (044).

Besch: (044)

Brand: Any other issues with the (046) please.

Coffin: I'd like to propose an amendment to section 1k (047) include (047) I'd like that sentence to begin by reading such works include all work performed for credit courses, and then proceeded thus to make explicit the exclusion of work that (050).

Brand: Please say that again, I'm not sure I understand it.

Coffin: 1k. Traditional works of scholarship such works include all work performed and for credit classes, scholarly publications, journal (052) and so on.

Brand: What happens in the case of non-credit courses, continuing education courses and so on. Are they excluded?

Coffin: I'm just trying to refine (055). Nobody's (056)

Brand: Is there a second? There is a second.

Coffin: My point is partly to respond to some issues that Bob raised earlier and that is if there is some feeling that students will restrict or reduce the efforts that they're making in coursework that by we all agreed earlier that we understood those activities to be excluded, and we understood that assignments in courses were not part of this research, laboratory work undertaken in courses was not part of this. It doesn't say that. My intent is to make it clear that work that students do and coursework that they have taken for credit is specifically recognized by us as being a part of the traditional realm of scholarship and therefore a set of activities to which this will not (064).

Brand: I'm still a little confused by this (065) Professor Peterson?

Peterson: Yes I have a comment on that and students who indeed are taking research course or thesis research taken as ongoing credit and it would be my explicit understanding that this policy that if something would come out of this it would be applicable in this policy, that it would be applicable intellectual property according to this policy, so if one is doing a thesis dissertation at work you're taking an ongoing research course as part of that activity I would hate to eliminate that because of the kind of (072) that comes out of those activities.

Brand: Sure. Anyone else want to comment on this? Please.

Schneider: (072) what's your question of the trustees reaction to this, the (073).

Brand: This is what we've got

Schneider: No, this notion of excluding student working classes?

Brand: I'm convinced they want to include it.

Cate: I believe that's really, may I just say that I don't disagree with the sentiment you're expressing at all, and you may be pointing out something that we have not adequately defined or made clear when we say professional advancement or accomplishment we don't mean just faculty we mean anybody. Professional advancement, scholarship comes from within the university. I'm a little hesitant to go with the amendment you have proposed for several reasons. One, I don't think the for credit non-credit distinction holds up. I think there may be areas in which for credit materials such as a research project, ongoing, we might very well wish to apply the policies, and there may be non credit activities but which are specific assignments for a class where the policy did not apply, where we would think of that as instruction material. So I would hate to make that line. I'm also a little concerned as to what we were just talking about back here. All of the other things we've listed under this exclusion, are copyrightable things. We duly acknowledge that these are copy-rightable creations that simply aren't protected and I'm worried about adding a negation or something in there that might imply we think all of the works that student do for credit classes is copy-rightable and thereby leave the university with ambiguous and difficult language it would face if it were involved in a dispute over that material with a student. For example students saying we couldn't use that material even though it was prepared in one of our classes as a specific assignment. So if it were possible I suppose I would rather see this be a matter flagged for the URPC to consider whether either an amendment needs to be crafted but I think that amendment would take some time to craft or whether an implementation that needs to be clarified, that what I said earlier which is that these exemptions would apply to students as well as faculty, is in fact a method in which it is implemented.

Coffin: I'm willing to fight it with the URPC and withdraw the motion.

Brand: OK fine. Next issue? Are we ready to vote? All in favor please say Aye. Opposed? The Ayes have it. Fred, thank you very much for your good work. Thank you and the others who have worked on it and we will now present this document as a recommendation from UFC to the trustees for formal adoption. Again, thank you for your good work on it.

Cate: Thank you. Thank you all of you.

Brand: Good. Okay, moving on to the next issue. Faculty and family related partial leave policy. Professor Orr?

Orr: In the document that was mailed to you along with the agenda for this meeting we tried to capture the history of this little (104) in two ways, one is by simply noting that this has been a policy

which was initially passed by the university faculty council in 1990, but that various kinds of delays and inertia have prevented its passage and finally at the end actually page let's see if it's included here, yeah on background which was the sort of rationale for this policy which came along with the resolution in 1990. What I'd like to concentrate on is the board of trustees resolution which was (111 cabled?) resolution of 1996 which is on page 5 and essentially referred back to this body which was then referred to the fringe benefits committee and then the issues with which the trustees were concerned with and which other people raised with the committee. First it's fairly easy to disclose every source that we had contacted has assured that there's no conflict with the family medical leave act that essentially this is an enhancement of the act, that it makes it such for taking such leave more feasible for faculty members than is required under the law so that it's permissive. (119) neutrality is an issue that the board of trustees have insisted upon and we have received all kinds of assurances although there is some concern about that that in fact suddenly surfaced this week and I will address this concern but the broad preliminary, we'll look at the policy from the point of view as cost neutrality is reassuring. Quality of instruction was a point particularly raised by the board of trustees and in all meetings which were reported to me and which I participated in there seemed to be a fairly uniform response to it and it's also addressed in the background statement on page 4 that it is addressed or there's material that's relevant to addressing this and that is that this policy is not a gimme, that people who propose to take it will be people under considerable stress or responsibility, a situation where the quality of their teaching work is likely to be somewhat problematic in any case, especially if they're still attempting to carry a full load under these circumstances. And all the conversations that I've been a part of or heard about have very quickly moved to the point that there's no guarantee in each and every individual case that the quality of the teaching will remain the same or improve, but overall we would expect it to be maintained or improved because the leave is applied toward and granted generally under conditions where quality of teaching may in fact become an issue. And from both the university's perspective as well as the faculty member's perspective that the partial leave in fact would be (137 an) appropriate thing to do. Final informal (138). A lot of discussions over this last year have sort of compared this new policy with a policy of trying to push the envelope on the informal policies that have always existed within the university and again it came to view this as not a replacement for the internal policies but more a provision of a base underneath the informal policies because there is fair amount of evidence that informal policies were in fact quite varied within campuses and among campuses and what this policy does is provide a baseline. And in a sense it's in the title. It says if you are faced with these conditions, then you have an entitlement to some relief. And so the motions follow that we have here which include both a motion for revision of the resolution by the board of trustees and the motion for revision of the academic handbook. And now just this past week there was some concern that arose about applicability to different units and cost neutrality associated with this and then primarily came from the professional schools. And so the IUPUI fringe benefit committee has worked very hard in the last week and even up until last night trying to deal with these issues and so there is and there is a handout which I hope most of you picked up resolving this with some very minor changes in the wording (155) IUPUI fringe benefit committee felt that they addressed this issue fairly well and there is the cleaned up version which I believe Ed is responsible for providing us to revise two parts of the motions that come before us and I would on behalf of the university faculty council fringe benefit committee would like to accept these as friendly amendments. The primary changes in the words and the word like like (161) is used explicitly to orient us towards the different problems that professional schools face and the word classroom is taken out because what it recognizes is the

variety of teaching and structured service activities that are a part of the responsibility of the faculty members. Rationality at the bottom of that page, the IUPUI fringe benefit committee feels that these changes are necessary to ensure that the professional schools on our campus especially the school of medicine will have sufficient flexibility to deal with special circumstances created by their faculty's clinical duties which (168) all teaching duties to a large extent. Basically what this does is provide additional flexibility which means in my mind that it probably decreases the policy in terms of having an absolute floor and in terms of entitlement. What it does is create necessary flexibility to make the policy work in a wide variety of circumstance and at the same time keep it cost neutral which is something that the board of trustees will insist upon.

Brand: Thank you. Questions, issues? Professor Peterson, did you have an issue that you would like to point out?

Peterson: I had one or I had one question, and I would like to give the review of the federal family medical leave act in it's essence to see how this goes to bear with that. Is that review in this document?

Orr: No it's not, the basic point is that the federal family and medical leave act is a leave without pay, and this policy includes 15 weeks without pay what the new policy does is supply some sustenance in connection with these leaves so it's more permissive and more beneficial than the federal law requires, that's uniformly the response that we got when we asked people with legal expertise about this matter.

Peterson: Another question that I want to ask that is related to the way the policy is written here, in some units most of the professional work that is you (186) 60 or 70% may be teaching while the rest is the research and creative work. In other units maybe the basic scientist in the school of medicine may be much lower level or a faculty member on the Bloomington campus might be teaching with a much lower level of activity compared to the creative work aspect of this. Is there going to be anyway that individual campuses might be able to adapt this to help the implementation of this policy so that it might meet their individual needs better or is this going to be just a blanket policy that's going to apply for everybody in it's current form?

Orr: Let me give my response to my conversations with (194) over this past week and then perhaps then I'll refer to Bill Schneider and Ed who have also had some conversations along these lines. What it looks like to me is this what this change in language will do will be to give more flexibility in terms of adaptation to the kind of work which is relieved. Both mine and Bart's view of this is in such situations the informal policies might be more likely to be used, rather than this formal policy. And what we would hope that we were providing was the flexibility for units to adapt, understanding that in doing that we're making the policy less rigid and we're sort of bleeding over into a more informal policy by allowing this flexibility. If you allow, if you cut someone's income by 35% and relieve them of 9% of their duties, the next response from them is likely to explore a more informal policy rather than go with this one but it also allows for the relief of other structured duties and the cost neutrality begins to come in if they're not performing their duties we will be performing them and we're simply not competent to make those judgments so the whole thrust of the thing is to make it appropriate unit specific, by moving it to the campuses and then giving the campuses the

freedom to move it on down to where the responsibility and the funding and the expertise can all come together to (210)

Peterson: So the expectation is that campuses and units will develop policies which are consistent with this policy, that the (211 implement)

Orr: That would be our understanding.

Brand: But you're leaving 35% to the funding to cover the work to be done during that period of the research.

Orr: Yes.

Brand: Any other questions? Please, Professor Fineberg.

Fineberg: The problem is that this even the new wording does not deal specifically with the time involved and I suggest a slight additional change in the wording as it now exists it might read something like this in (219 individual) case, a full time faculty member

Brand: Professor the machine out here, you're going to have to speak up.

Fineberg: I'm sorry. In the usual case (221) a full time academic appointee may take a partial leave over a 15 week period consisting of a 35% reduction in classroom teaching duties or structured service duties while taking (224) and basically the structured service duties could include (225) other individuals would have specific service duties, librarians, and still permit the 65% commitment to intellectual pursuits.

Brand: This is a motion. The motion is now on the floor because it was presented by university committee, and we are presenting a amendment as I understand it, is there a second for that?

Ciminillo: I second it.

Brand: Okay.

Orr: Could you clarify (232) where the amendment would go?

Fineberg: Okay it's where it says family related partial leaves, it's the second paragraph of that.

Brand?: I would presume you would refer to the sheet, the extra sheet that was provided if that's what you wanted to amend, is that correct?

Fineberg: That is correct.

Brand: That (236) I believe.

(237)

Orr: And there's the cleaned up version and it would probably apply to both paragraphs but I think you're referring to the first of those paragraphs.

Brand: Could you repeat

Orr: And would you repeat the wording please.

Fineberg: In each location full time academic appointee may take a partial leave over a 15 week period consisting of a 35% reduction in classroom teaching duties or structured service duties. And then the rest is ...

Orr: I would be somewhat concerned that that would make it more rigid because it would limit to a 35% relief of teaching duties and in fact there might be occasions for relief of more than 35%. What we're trying to do and I need to understand better and is why what we're trying to do doesn't address your concern. What we're trying to do is allow as much as possible unit specific flexibility as how the workload is altered given that the compensation will not be flexible.

Fineberg: The clinical services (253) are quite concerned that the (254 funding?) burden might be imposed by demands for more flexibility and of course the income is pretty (256) reduced by 35% so it makes sense that that entitlement then be reduced by 35%.

Brand: That's not what the policy intends. The policy intends a significantly greater than 35% of the effort may be reduced but the salary would only be reduced by 35% and the comment was that if you want to make it more specific and then since you have in mind that would be a campus ...

Orr: Or a (266 sucubent?)

Brand: Or a (sucubent?)

Orr: I would think in this case if the medical school found IUPUI policies to not work very well that they would petition for some additional freedom of responsibility to set their own policies within the overall guidelines.

Brand: But if I may it's not in the original intent to the policy. It's the original intent to the policy as I understand it was rather liberal in releasing people from activities and it wasn't a one to one tie between the amount of activity release and the amount of salary release.

?: But in Professor Fineberg's case he's suggesting that there may well need to be in a particular instance a one to one correspondence between time release and salary released. That I mean it's cool if you do that but it's not in the spirit of the policy.

Peterson: Well and the real reason is there is we can't possibly replace somebody in a clinical setting for the same value that you can replace a part time teacher in an academic unit you might be able to bring in a part time person who works at Lilly, teach a course for 3000 dollars or 1500 dollars a semester. But if we have to replace somebody for two or three days a week as a clinician, to serve in

a clinic, I mean there's no way you can do that for that amount of money in the 35% that you're reducing somebody's salary.

Orr: Can we do any better than to give it more flexibility than what it is that you relieve them from maybe you can only relieve them from two thirds of their ... I believe we're trying not to judge that and we're trying not to restrict you in what you decide to do.

Schneider: We've kind of reversed the intent. The point of the committee and regarding the IUPUI's committees' deliberation last night was to try and craft the flexibility that would allow the medical school to have it's specific needs addressed but then you're trying to make it specific you're sort of reversing it and making it more difficult to the rest of us to apply it to the rest of the university and I think the obvious solution is to leave it as is and then for you to make the policy in the school of medicine that will respond to the specific kinds of needs you have.

Peterson: And the specific response that has been made here is taking out the phrase or equivalent structure service duties which specifically apply to the clinical aspects of the school of medicine responsibilities and that's what they remove so that we would be restricted in our (297 subjects?)

Greenebaum: The other flexibility in this I think is it's being recognized in discussion right now is that it's being discussed as though each faculty member that the 35% from each faculty member is to finance that particular faculty member's replacement whereas the mechanisms to create a pool of funds from which the replacement resources will be financed and the notions that in some instances it will not cost as much as 35%, to replace an individual, and the pool of funds should be over a large enough diversity of units that the financing and replacement can be done out of the pool created by these overall 35% reductions and it's not financed by the particular individual's leave.

Gellis: Is it possible under this policy that someone, a clinician at the medical school where there is a (314) for a (314-315) that they could go and say, you know I want to take leave and the medical school could then say no?

Orr: No, they could not. They could, however negotiate over the nature of the leave they would not be able to negotiate leave compensation.

Gellis: They could say you have to, the medical school could say you have to be in the clinician doing clinical work. Actually that's continued (323) leave or something else, whatever that might be.

Orr: What we're trying to do is to maximize the flexibility of the two parties to negotiate and there presumably would be an appeal process, hopefully a very limited one.

Peterson: I think that's one of the concerns obviously that the chair of the departments in the clinical departments because if there is a policy in place that people are interpreting as being a policy that covers them, they're going to be very upset if they go to the board of review or whatever process they can to get the rights that they consider to be theirs for the same kind of relief that other people in other (331) can get.

Orr: There is a certain amount of good faith assumed, particularly in the revisions that have been (332 performed?) by the IUPUI fringe benefit committee, there's no doubt about that. And I think the only way to work through this is to see how it works and make need of religions if that proves to be necessary. I presume there's a fair amount of good faith that most of the faculty in the medical school understand what the problems are and understand whatever unit has the financial responsibility it has to over the long term keep it cost neutral.

Gellis: I guess I'm still a little concerned. Given the (339 regency?) of the policy and those who have particular respect for teaching person who's not going to be able to devote their attention and time and whatnot to do a good job of teaching, that those arguments seems to me that those arguments would apply (342 legally?) to provisions in the medical school and that they ought to have the same rights as other people to be relieved of that of (345) situation.

Orr: But since they don't have the same responsibilities as other people I think we would be ill-advised to try to define that rigidly. You're right, it's a it moves it away from well-defined.

Brand: Look. Again the main difference of opinion here is whether there's a one to one correspondence for time given for relief under this and the amount of the salary. That's the issue, not what their responsibilities are, and so on, because it's as least as difficult to be a clinician as to be a teacher, and certainly you want full attention on both cases. So the fact of the matter is I think the difference that some of the people from medical school are pointing out is that the revenue structure of the medical school doesn't permit this type of permissive policy. I think that's the key underlining issue, that we can't fudge over by saying let's give them more flexibility. If you're going to give them more flexibility they will not directly be following this policy because they're breaking their key fundamental tenant.

Peterson: And again I think that I think we would be more than that we could do this if there were a fund of money at the university level for replacement clinicians for those people that want to take this leave. If you want to have to have that fund of money available so that departments can get reimbursement to replace a clinician, I don't think there'd be any argue whatsoever. But they can't do it internally in the school of medicine, in the departments of the school of medicine, a restriction better be put on for clinical practices if this (367)

Brand: The only way I see to deal with this matter and I'm not sure you want to do this because that's a very strong fundamental difference with the policy that you would just take the school of medicine out of policy and develop on your own whatever policy's appropriate to the school of medicine.

Fineberg: I think there are department heads who'd be very happy with that.

Brand: I mean I don't see any other way to resolve a very fundamental difference and have this, this may be OK and I leave it to you and others but as a suggestion to consider it might be necessary to treat the school of medicine for reasons of the nature of the work they do in this case differently and let them through their offices and approval processes come forward with their own particular policy

and advice to the school of medicine. I don't see how we can reconcile this fundamental difference by saying we'll leave it up to the school because it's too fundamental.

Orr: What we're leaving it up to the school in the revisions that come to us is the nature of the relief that's provided and what I think Bart and others fully expected was that as a result of this the medical school and probably use informal policies more heavily than might be the case elsewhere in the university.

Brand: But you then leave it open to all the other schools on all the other campuses to take a similar approach rather than just pulling out the school of medicine separately.

Orr: That's true. We do not anticipate that informal policies to disappear, especially for short term kinds of leaves, they might be vastly superior to this policy.

Schneider: The option of treating the school of medicine differently and in effect exempting them was fully discussed by Bart (394)'s committee and what they tried very hard to do and what this language is a result of is to trying to make sure that it applies to all faculty for the to (397) faculty for the very purpose of having more faculty feel that they are covered. Now I did not hear, one of the things that was discussed was the question of money and whether not it would be covered initially but and that is an issue that the IUPUI committee was very much aware of but this language that came out presumably took it into account and resolved it. It's not spelled out in detail and I'm sorry Bart didn't hear that (403) was the figures for it but I would very much like myself to see this policy as one that could be applied to all faculty and then if there's a problem later on take it up and amend it.

Peters: On page 2 of the document we have some discussion items. There is a section on the top of the page entitled Cost Neutrality. Have we agreed that the claims in that section are no longer accepted? I mean, that had been given a lot of consideration by different groups over a period of time and it strikes me that now those actions are backing away from the asserting in that paragraph.

Orr: The cost neutrality assertions were on a general basis, I think the concern of the medical school is that that's not going to be easy for them. And the response is the one that Bill has just articulated.

Kauffman: On (419 13?) we have a floor (420) on the second, that's correct?

Brand: Yes.

Kauffman?: I'd like to move to questions (421?)

(421 some mumbling and shuffling)

Brand: Okay, questions from (421 Cole?) There's a motion to cut off debate. All in favor of cutting off debate say Aye. (Ayes) Opposed? (Ayes). Doesn't sound like two thirds to me so the debate continues. Please.

Besch: (427) very much to the debate but it certainly is true that the records of the university faculty council discussion have been deciphered when things have returned and so I think part of the reason for asking for your discussion and comments is to make sure that we have on record the full discussion and the various sides and that they are pointed out clearly and rationally so that they can be revisited in the future. This was first pointed out to me I think about 16 years ago by Roger Dworkin and that also would be also be referred to as probably the first time I acknowledged these (436) (laughter)

Greenebaum: I also want to call to our attention that this is a matter in which this is not a matter (439 of course?) to legislate. We're providing consultation to the trustees in regards to appropriate faculty benefits. And I feel confident that the trustees will look at this carefully from the cost neutrality point of view and if there are further difficulties encountered in generating adequate confidence the whole matter will be I think may come to a again for reconsideration in the fall. But I would like us to from my point of view take action. The trustees lay their own motion on the table last May and invited the council to look at it further and look at the issues that (453) called our attention to and I would not like to for us to be to given the fact that this matter is quite old our there have been constituencies who have been very interested in this matter going forward for quite a number of years. Our, Julie (459 Lambar?) our dean, in Bloomington, has been urging us to move forward. Bill and I have received a letter this month from Kathy Warfel, expressing her support in her intent to move forward and I would like us to take action, that will take this matter off the table and take a step to move forward.

Porter: I (467) support in the language, and I do think that it will allow IUPUI to move forward and negotiate but in the spirit of making sure that issues are out as we look to the future, there are schools other than the school of medicine that have individuals who are employed particularly in the clinical ranks who are permanently employed with service responsibilities so that if there were to be considered an exemption for the school of medicine I suspect there will be a number of other (477) schools because we will, (477 potential?) schools on campuses we're going to make the same case so we would have to be very careful in crafting an exemption for the same schools.

Brand: Well taken. Professor Schroeder?

Schroeder: I've been involved in this policy for a long long time and there are things, Bob, when we first crafted this (483), we think that (483) to be different from the Bloomington campus in that we wanted to protect the individual who was under duress who would take this leave to take away that time period where they have to go (487). If they teach classes they have to be there at 9 or at 10, and we wanted to allow them flex .. that time they may have flexibility. It could very well be that in a clinical setting that (492) don't have to bear our clinical involvement with students that are flexible. So I think someone like the school of medicine or professional schools instead of taking teaching as (496) read as (483 Bloomington?) to define what type of work a clinician could not do during that time period. I think what we absolutely should not do is exempt anyone from this policy that we've worked on for years and year so that the people in a stressful situation can take some time off to relieve them of this (503) whatever's necessary.

Orr: I wonder if in addressing Professor Porter's concerns it strikes me that it's exactly the tact that Bob Payne and his committee took, and that is to make the policy flexible enough so that there are going to be lots of exceptions and Deloris has just made that clear that it isn't the same everywhere. But to have the underlying policy which people can learn how to use and we can learn and deal with problems as they come along and try to formulate it generally enough so in fact the professional schools can adapt to it.

Wagor: Two items. As I understand it the motion on the floor is an amendment which had it in the word 35% and that would (518) we've sort of gone away from that a little bit I think. I wanted to remind ourselves that there are two things that I was staring at (520) one was 35% from teaching that in the case of many faculty on the Richmond campus would mean they would teach they would have leave from one course out of the four they teach that semester. I'm not sure that's what the committee really intended. That sounds like what the motion is saying. If the motion was meaning that one third of the faculty member's duties are assigned teaching, then that is also not true at the Richmond campus. I would urge the body to (529) the motion on both those bases because it seems to really misinterpret what the general faculty distribution of loads are on the various campuses.

Brand: okay, that brings us back to the motion.

Hool: Well I had a couple of comments to make. First are the IUPUI faculty affairs committee met last Friday and although we realized what the policy doesn't address every single very unique situation that could come up in a faculty member's career, overall there was good support and there was the overall feeling that something needs to be in place. Speaking personally I just went through this and I would probably went through it less than a month ago in which case I needed a leave, I really wanted a paid leave, I wasn't sick and I'm not pregnant. So fortunately my school was able to again, this (547) informal policy and I'll say that that was very, very helpful and I was very grateful because there was nothing else to provide for a particular situation I was in. And what mattered to me most was not so much the (552 DOB's?) or anything what mattered to me and I think what matters to all of us in these types of situations is that you're not absolutely scheduled to be at the university during particular times, and I think that's the crux of the matter. I was happy to bring home a tub of different materials to work on what I was grateful for was not having to be at the office from 8 to 5 or teaching a class from 10 to 11. So I think that's the spirit of it. As far as the ...

Tape 2 (000)

... structured performance duties or structured duties falling under (001) would make it much clear as to the particular application of the policy in the case of the librarian.

Brand: Okay, let me review where we are. I think we have a amendment to the Bart (003 Payne?) proposal on the table right now. We have to vote on that and then on Bart's amendments, either amended or as they were originally submitted and then back to the original.

Greenebaum: (005) appropriate to the (006).

Brand: Okay so they've been incorporated so it's just the amendments to Bart's changes. Two more on this and then let's get that question off the table.

Peters: I think it's call for question.

Brand: Okay, all in favor of calling of question say Aye. That's two thirds. (laughter) Okay, the question is the amendment that Professor Fineberg proposed. Would you like to hear the amendment again or you have it? Please.

Fineberg: It's circular U2097 second paragraph, for the (013) case of full time academic appointee may take partial leave over a 15 week period consisting of a 35% reduction in classroom teaching duties or structured service duties.

(016 some mumbling)

Brand: Do you want to read that again please? Let's look at the cleaned up version.

Fineberg: In the usual case a full time academic appointee may take ...

Besch: In the usual case a full time academic appointee may take a partial leave over a 15 week period consisting of a 35% reduction in teaching duties or structured service duties.

Brand: And then the rest is the same. Okay you've heard the amendment. All in favor please say Aye. (silence ... laughter) Opposed? Okay. We had a good conversation about general issues too.

Orr: Unless somebody can think of a good reason not to I would accept as a friendly amendment the substitution of the word performance for service. I can't see any reason not to accept that.

Brand: Any objection to that?

Hook: It depends on now which policy you're talking about.

Orr: Well we're talking about on the ...

Hook: The Bart?

Orr: The cleaned up version, the second line as I understood we've changed the word service to performance.

Hook: If you're talking about the line that reads "in the usual case"

Orr: Yes.

Hook: "May take a 15 week leave from teaching duties or comma in the case of a librarian structured performance duties".

Orr: Right.

Hook: That meets our criteria.

Orr: And I hadn't looked but there might be in this second cleaned up paragraph it might

Hook: It's there again.

Orr: It might be the same.

Brand: It would require that saying the word performance as it were a technical word for librarians were is there any objection to this?

Gellis: Can I ask just one (034) question. On pregnancy leaves, does pregnancy (035) take a partial leave (036) longer than 6 weeks. Am I right that that means you can take it in (037-038).

Orr: I'm sorry, I didn't hear enough of what you said to even know whether I know the answer or not.

Gellis: When the

?: Page 3 29th sentence.

Gellis: Told us pregnancy leave up to 6 weeks. I'm assuming that am I right in reading that to mean that 6 week period can be taken before, after the child's birth or only before?

Orr: I don't think that's rigid at all. As (042) practice it can be taken when (042) needed and up to mine (043 resufficient?) at half that.

Gellis: Well I think this is changes. After the child's born you're no longer pregnant (laughs) and the six weeks can only be taken before.

Brand: I think pregnancy, the word pregnancy means associated with a pregnancy. I don't think there's any other interpretation.

Heinz: The birth of a child substituted for pregnancy?

Orr: It's (048)

Heinz: In the discussion entering strong evidence that the vote was not (049) because there's so many people that could not be replaced that 35% of what they're earning. In light of this discussion do you still stand behind your statement that it is cost neutral?

Orr: I think the appropriate statement is that once it's implemented (051) it will be cost neutral.

Heinz: But it's an (051 entanglement) If you pass this and you tell the staff and faculty that you're entitled to do this, then you're going to make it cost neutral by saying it's cost neutral so that (053)

Orr: No but you can make it cost neutral by negotiating the nature of the leave.

Heinz: I don't (054) I think ...

Orr: I think that's what most of the impressions ...

Heinz: Impression you're talking (055)

Orr: Sure, but the detail of nature of the leave is not rigidly refined.

Peterson: I don't think the consideration has anything to do with pregnancy because that's already ...

Orr: No, I think he's changing the subject, I'm not sure. You're not talking about pregnancy leave right? You're not talking about pregnancy leave?

Heinz: I was, I'm not female, but I'm (laughter)

Brand: Pregnancy leave is a different policy and there's no question of cost neutrality or anything else you'd rather be talking about partial paid leave.

Orr?: The question is in general, not just pregnancy, and this is a question that I'm confident the trustees are going to ask.

Heinz?: Right so what's you want, you work full time. Suddenly you want to do no work for 15 weeks, because you have a sick child that needs all of your attention. So your supervisor says, I need a, and we've heard it repeatedly, the difference is they're all (064), in sciences you can't replace someone for 35% of one year.

Orr: There's been several responses to that. One is there's no intention that people, it's a partial leave. There's no intention that people do no work, and the work of the IUPUI committee this last week, what it has done is added flexibility because it was felt conditions are so different in different departments and especially differences between what we call professional versus more traditional academic that the flexibility is needed because the board of trustees will insist on cost neutrality, and it does make the policy less of an amendment, there's no question about that. But on the other hand it's simply saying relief from teaching is even fuzzier and would probably make the policy even more (071).

Brand: This group can recommend this to the trustees but I assure you that that question will be dealt with in depth and will probably be the leading question that the trustees ask of the absolute assurance that it will be cost neutral by policy and not just by flexibly so I think that would be the issue on the table, whether you stand acceptance of this or not.

Coffin: (074) issue of two things. One (076 session) has been (076) cost neutral. In fact, part of the recommendation is that the pool of money's purpose is going to be campus law. So it doesn't require for example that the school of business implement this policy and that it's cost neutral. It doesn't require that (079) the school in a way that it's cost neutral. That's the first thing. The second thing is we look at the trustee's original resolution, which they put on paper. The next to the last (080 point?) says we're going to have this policy be modified at any time by the trustees to ensure

that this policy remains monetarily cost neutral to the university. What the trustees have built into the policy resolution that we are giving them advice on, an escape clause. The trustees may modify the terms of this policy anytime they (083) well please. Make sure it stays cost neutral.

Heinz: Well you don't have to (084 do background?)

Coffin: Well I'm just saying it's already there.

Brand: But I think the last question whether you're optimist, when you look at it larger rather than just a small school or even a large school will create cost neutrality. Again, that would be the topic of discussion I would expect from the trustees. Ed?

Greenebaum: I was just going to make the point (087) about the last board of trustees motion.

Brand?: I have a question, I think I have the answer but it says household member where the appointee is the primary co-primary caretaker. So that might include someone like a mother-in-law, doesn't have to be a blood relative. Is that true?

Orr: Yes.

Brand: Any other questions or issues about it? If we recommend this to the trustees, understanding that they will take up in detail the issue of cost neutrality. You don't have to solve the cost neutrality for yourself but I believe that that will be the issue they talk that would be primary on all or most of their minds. That of course precludes you the option of recommending this to them as you see and believe that it will be cost neutral.

Orr: Can be made cost neutral.

Brand: Can be made. And still be a discriminative policy.

Orr: And still be indiscriminate I think that's an excellent way to put it actually.

Brand: Any other questions or issues about the policy that you are considering now to recommend to the trustees? Okay (100) hear the questions?

(101): Question.

Brand: I heard that. All in favor of recommending the policy as so amended, namely we're built in now by our Bart (102)'s changes, please say Aye. Opposed? Okay, it will be recommended to the trustees for them to figure out. Thank you. Bill, you wanted to address the issue of IUPUI (106 regulations?) to the student (106)

Schneider: Yes, this is a very straightforward and I hope simple matter of implementing the Indiana University code of student rights and responsibilities of conduct and in provisions or exceptions being made for a particular campus. The circular (110) 1097 describes the various (110) ten changes that I would like to make and implement on our campus and it's been passed by our council and is

now brought to UFC for its approval. Most of the amendments (113) that we are proposing and most of them well they all have to do with particulars on our campus and it's setting some of them have to do with the fact that we don't have a dean of students at the moment and we need to designate and (116) if there are specific I can go through them individually or respond to your questions. (The latter is fine) I will respond to your questions if you have them. And we'll see.

Brand?: Are there any questions on these issues?

Carr: Yes. This question of procedure, I understood that the student code allowed for regional differences, say amendments by and individual (121 council?) my question is, must all of these come back to the UFC?

Brand?: The, for better or for worse the version of the code that we recommended to the trustees and they accepted contained the provisions that I referred to at the beginning of Bill's memo that it would come back to the UFC. Any other questions? Please.

?: This is not the substance within B academic affairs should agree the student is responsible (126)

Schneider: Yes it should and I note here as a typo note. Thank you. So be according to (127 ... green?)

Brand: Any other questions? Carry the amendment if someone calls the question. Please?

?: Question.

Brand: All in favor please say Aye. Opposed? That carries. Let's move now to minimum standards for faculty boards of review. (131)

Downs: We were given this task in order to bring the faculty council into compliance with the formal constitution. It had not been compliant with the formal constitution for some time. What you see before you on the blue sheet is an attempt to bring us into compliance without working any considerable hardship on the campuses that had (137) been functioning quite well thank you without the minimum standards in the past, nevertheless we did think that some form of direction and some kind of form should be placed (139) these procedures in order to ensure that the work of the faculty boards of review on various campuses be conducted fairly and reasonable. There are two editorial changes that were made when these (141 judges) that looked at these documents shortly before this meeting and I'll tell you what those are right now. The first editorial change replaces the word "should" with the word "shall". It was felt by the attending committee that this would sharpen the teeth that we're trying to look into a standard sort of faculty boards of review that the word "should" by my account appears 19 times and so I'll have to dip into my supply of shalls or 19 shalls for replacement. It was felt that "should" was less mild than should be the case in a document establishing minimum standards. The other editorial change consists of placing an asterisk next to the first use of the word 'faculty' in the document. Placing a reasonable facsimile of the asterisk at the bottom of the document with this phrase, "in this document the word 'faculty' is generic and includes librarians'. Nobody felt that librarians were left out of this document in (155 room) but you never know what's going to happen when people become excited about controversy so we thought

that we should make that specific. I won't read the minimum standards but I'm happy to answer any questions that anybody has.

Brand: Questions about this proposal? Please.

Coffin: Yeah I asked this in the beginning but I'll ask it again so it's on the record. Procedurally this becomes just a policy of the university faculty council is that correct?

Brand: Right and we're hearing in faculty (161). Any other questions?

Peterson: Are we certain that all of the campus policies are in general compliance with this, this form was in campus policies of necessity have to be modified (164).

Brand: (164) answer that.

Downs: It's a good questions they're very close to compliance and with the proper interpretation probably can be brought into compliance without substitutive change. What I hope will happen is that some campuses which I will not name here will look at these closely and say to themselves, I'm really glad they called this to our attention maybe we'd better tighten this up a little bit. But I don't think that it's going to work a hardship on any campus given the way it's written and current procedures.

Brand: Okay. Other questions, issues? Do I hear a call for questions?

Cumin: Question.

Brand: All in favor please say Aye. Opposed? Thank you. Let me move to the final item on the agenda now, non tenure track faculty, Professor Burgan and Hook.

Burgan: What we have in (176 honor?) this afternoon is just an update, it's an interim report to tell you where we are on a matter that we've discussed with you earlier this year. Our goal is a set of regulations that will make possible the disciplined assignment of ranks to faculty with special attention to faculty who teach courses for credit. And our main problem area as discussed last time is non-tenure track faculty both full time and part-time. Our expectation is that this job will be completed in the fall semester of this year and I simply brought with Sara to summarize the kinds of concerns we've been addressing and what we plan to do from here on out. One of the things that has become evident to us is that we need several perspectives on this problem from a statistical point of view. We need other ways of counting than the single way that was represented in the chart that we handed out the last time that we talked about this topic. For example, what that chart showed was the percentage of courses taught by a given type of faculty. And something that makes it hard to read or only partial, it's informative but in a limited way is that the counting in that case was of courses not sections. So you can have a course that was taught let us say a Junior level course taught and one section only by a tenured faculty member and you could have one course that's taught in many multiple sections such as an introductory composition course that might be taught by a very large number of people without tenure whether they were non-tenure track whether they happened to be graduate students, AI's, or whether they were non-tenure track faculty full time or

very likely in many cases part-time. Consequently if you look at how the percentages that you get when you do this kind of counting you have something that is very solid and definite and the dean of faculty's I think chose the method partly because they could be quite sure that they had accurate results. But on the other hand there is a tendency in that kind of reporting given the actual distribution of teaching assignments across the system there is a tendency to amplify the proportion of teaching that is done by tenure-track and tenured faculty. What we would like is another method of counting to give us another angle on this problem and that would probably go for something like FTE full time equivalent of how many full time equivalent have you got in a given category. Something else that we've been working on is talking with administrators and with individuals who are in the situation that we're trying to regulate that is with people who really are part-time (216) and people who are full-time and also those who administer programs that do this kind of employment. I've talked with Dean Freund for example and (219) about some of kinds of problems that arise for her and we'll be talking a little later this spring with the group of academic vice-chancellors, trying to find out in specific ways what particular needs and problems arise on different campuses given the fact that admissions differ considerably and so does the amount of hiring of this kind that is done. The Bloomington faculty council I beg your pardon the Bloomington faculty affairs committee has raised both Bloomington (226 capsule?) the possibility of extending 2 full-time non-tenure track appointees where possible benefits that were secured last spring for clinical rank faculty who are full-time. That's how we had at least the faculty affairs committee considers desirable. It did not give (231) the case of say visiting professors, who would not be around long enough really for that kind of provision to make sense. If it were possible it's the feeling of at least of that committee that it would be a good thing to do. I want now to say just how provisional such a statement is, such a recommendation. It doesn't really amount to a full recommendation first because our faculty affairs committee and the university faculty affairs committee both believe that this is a kind of problem you can only attack across the waterfront. You have to have a set of policies that you're proposing to deal with all of these non-tenure track appointees, not just a selected group. Clinical faculty, it was possible to handle in that way because there are particularly defined group with very special responsibilities. We feel, however, that to make any positive recommendation on this we have to have covered the whole set of issues. A second way in which this is provisional and merely an idea is that we discussed it (244) with the Bloomington Faculty Council but it wasn't in the form of a resolution (245) vote or pass but finally of course we need input from the whole system in order for the university faculty council to discuss this kind of matter and Sara and I both believe that we're not now at a point where that kind of pooled discussion, pool of information is possible. So we're proceeding with trying to get more concrete data and we also (252 know?) very much at the issue of change over time. One of the things that the dean of faculties has told us is hard to track but possible is the way in which this total situation has changed over time. Apparently that's extremely difficult to do, what you're doing is counting course. In other words if you're supplying the kinds of numbers that you all looked at before or when we discussed this topic. On the other hand it is not impossible to track FTE and the dean of faculty has begun has given us some figures for Bloomington which I'll share, briefly, and has about completed as I understand a set of figures comparable to that for the entire system and is now in the process of getting feedback from various campuses to correct to point out potentially misleading data and things of that kind. In other words they are proceeding in the same way that they did with the former survey, they get the data together as best they can themselves then they circulate copies of it to the responsible administrators, take feedback and commentary, and then finally issues a report.

This is very valuable to us because something that always comes up in discussions of how to manage this particular problem is the issue of change over time. What they found about Bloomington, for example, is that over the past 7 years tenure track and tenured faculty and I'm just for now going to call them tenure track in the usual way. Tenure track faculty have grown by 2%. Non-tenure track faculty have grown as a group by 13%. Interestingly, in terms of absolute numbers the number of new appointees is about the same, is almost the same in the two categories. Almost the same for tenure track faculty and for non-tenure track. 30 in the one case, tenure track, and 27 in the other, non-tenure track. In terms of percentage this means that there is a relatively small growth in full time non tenure track, 4%, (279) line 6 and after them representative 4% increase. The non-tenure track appointees grew by a number of 20 FTD and that for them represented a 42% increase. This is a very striking advance in our investment in that particular kind of teaching and the desirability of having figures like that for the whole system and considering this problem seems to us very clear and so that's one thing we're very much looking forward to having to work with in the near future. So to summarize, where we are is trying to get accurate data on part timers in particular. And not only to get numbers, but to confirm with people who are looking at this problem from both points of view, past appointees themselves and also as administrators who are responsible for hiring them and for making provisions. We hope to come out of all this with a system more consistent than what we have now with a careful taxonomy of kinds of work that is done, a set of classifications that will be relatively stable. And where a given title will tell you what you've got. As it stands now we can't tell from a word like adjunct really what you have until you ask a number of more questions than that because it can apply to such a variety of appointments.

Brand: Thank you Bill. Any questions?

Gellis: Bill do you have a number in terms of what's happening to the student population over the same period of time?

Burgan: The most recent figure I've seen from Bloomington which is what we were talking about suggests a slight decrease. I'm sure President Brand has a better ...

Brand: What was the years again?

Burgan: The past 7 years.

Brand: The past 7 years?

Burgan: Yeah, I was about to qualify that. I'm taking out all of the (306) recent reading of assessed study and I'm not sure .. and the copy doesn't cover those seven years that is it may be far (307) a very recent decline from a peak and I wouldn't want to comment.

Brand: About four years ago Bloomington was at a peak close to 36,000 students. Presently, it's 34,000 maybe 500 initially for registrants. So as much as a 1500 FTE student drop during the last 4 years. So it's been significant. Now, that's we're projecting it to level off and again I'm not sure the period you're talking about for the faculty but for the last 4 or 5 years the numbers I gave you are accurate.

Gellis: The student population by itself doesn't count for the increase in numbers.

Brand: Now, there is an important complication here in that the students themselves over the last 3 years have taken an initiative of 1% more tuition per year in order to drive down the student faculty ratio and so what you are seeing is that while the faculty population hasn't increased that much, though it has marginally, the student numbers have gone down. If it weren't for the students initiative I think you would've seen a decrease in the faculty numbers so the ratio has been driven down but in part it results from a student initiative.

Burgan: Interestingly enough that we have not (322?) connection we the percentage of faculty with tenure has remained absolutely stable over that period. That is at 73% now and I believe that's what it was at the beginning that it is has stayed constant.

Brand: And my guess is that if you look back through decades it's relatively the same very few variations. That number tends to remain constant.

Moats: And you think a little about (329) percent all are the money is used for full time faculty or for I guess long term faculty they are considered tenure track faculty. That does (331) the percent in the first place. So when we book - appropriate those lines to departments for full time not temporary faculty, they're supposedly on tenure track.

Brand: So I think that answers the question whether there is a direct correlation. You can't tell because of this mediating faculty. Any other questions? Please.

Wagor: When these numbers become available to us it seems like one of the things that would be useful, you're talking about changes over a period of time, and that would be to have a on a campus by campus basis the baseline of the percentage of that (340 TPE?) 7 years ago, these are the groups of faculty and what's their current percentages. It doesn't tell me a whole lot to say, there's been this percentage change because 99% of the faculty are in one group and you're telling me there's a 50% change and there was a 13 or 40% change in the other one percent, you could really distort this. I think when we get the numbers, could we have a baseline in terms of percentages of faculty distributed in FTE and we could also interpret how the numbers are to change ...

Buragn: Let me ask and this I don't know this addresses the kind of question you have or not it may not but as a percentage of the total faculty over that 7 year period the non-tenure track faculty on the Bloomington campus moved from 13% to 15%. That 15% figure interestingly is the national average for 4 year institution. So in that sense what's happening with us is (353 tape error?) happening in a lot of places. It's also true that the ratio of tenure faculty in teaching the number of tenured faculty involved at teaching in Bloomington is apparently the best in the CIC which is the Big 10 plus a number of comparable campuses.

Brand: Can I go back to a moment to Professor Gellis's point? As a way of benchmarks on this it might be useful to have the student FT population year by year campus by campus and I'm not sure that will provide some additional information but it might be useful and it's easy to get. Please.

Davila: I just wanted to say that correlative to what Ann Gellis was asking about in terms of the student population there are other factors that play besides the 1% contribution, tuition contribution to the students as in my area, in Spanish and Portuguese, it's a very popular language, that is Spanish, and we've worked very closely with the colleagues to give a better quality classroom education to students in terms of reducing the number of students in the classroom that had been exorbitantly high almost approaching 30 at times in years past so that now we've worked it down in the service courses that we teach at the 100 200 level to the lower 20's, which means that faculty in other less popular languages are able to pull young jobs and actually contribute to this slight increase in terms of the better faculty student ration. And so overall we are improving the quality of education and encouraging students to be diversified beyond the more popular languages.

Burgan: What I think one thing I should mention is that our faculty affairs committee, once again all these things are important matters that we assume others are talking about as well has the mostly the idea of having a committees on campuses that would keep, that would monitor this situation. That we follow through if appointments were made ostensibly over in fact on an emergency basis somebody could be charged with following through what became of that kind of appointment. Also at the present there's a lot of bad (387) application of ranks going on to deal with situations where it's understood or felt that at least (390 tell) the administrator in question that needed ranks being used is entirely appropriate. There were a number of visiting professors visiting faculty at Bloomington who'd been visiting and visiting for quite a few years and the best ad hoc way of dealing with this that Dean Freund had come up with is to begin calling them clinicians but she acknowledged that this is hardly more accurate they, the kind of treatment that they get may be more appropriate that the nomenclature itself is probably more accurate than the other.

Brand: Any other questions?

Greenebaum: Just a comment on that particular solution. One of the things that we were quite careful about last year was to define what work it was that clinicians could do so that expanding the rank of clinician beyond that is a violation of that regulation that we made.

Davila: This issue that (406) that is I presume she was using it facetiously, I hope.

Greenebaum?: They are, I don't want to sound too critical. There are a lot of problems that need temporizing solutions in the current situation due to our lack of a comprehensive workable set of regulations so that I would be I would hope that we might be able to hold the line on that particular relatively clear definition, I would (416) totally complete this job I would expect there to be temporizing solutions of one kind of another.

Brand: We look forward to this report in the fall. It's important work. Thank you both. If there's no new business we stand adjourned.