

Minutes
Indiana University
UNIVERSITY FACULTY COUNCIL
IU Foundation Building
April 11, 1995
1:30-4:30 P.M.

Members Present: President Myles Brand; Vice Presidents Gerald Bepko, Kenneth Gros Louis; Chancellor Emita Hill; Elected Faculty Members Jeanette Clausen, Donald Coffin, Ronald Dehnke, Michael Downs, Paul Eisenberg, Janet Feldmann, Edwin Fineberg, Edgar Fleenor, Kyle Forinash, Donald Gray, Edwin Greenebaum, Steven Hollander, Elton Jackson, Carlyn Johnson, Marilyn Kintzele, Eugene Kleinbauer, Peter Kloosterman, Angeline Komenich, Joan Esterline Lafuze, Robert Lehnen, Elizabeth Lion, Christoph Lohmann, Allen Maxwell, Byron Olson, Lloyd Orr, Thomas Osgood, James Pattillo, Curtis Peters, Albert Ruesink, Ruth Russell, Paul Scherer, Myrtle Scott, James Sherman, Martin Spechler, Karen Teeguarden, David Towell, Kathleen Warfel, Karen West, Nanci Yokom.

Members Absent with Alternates: Patricia Blake for Elected Faculty Member Barbara Cambridge, John L. Sullivan for Elected Faculty Member Vannoy Faris, Richard Carr for Elected Faculty Member Catherine Olmer, Richard Turner for Elected Faculty Member Richard Peterson.

Members Absent without Alternates: Chancellors Daniel Cohen, David Fulton, Leon Rand, Hilda Richards, Michael Wartell; Elected Faculty Member William Wiggins; Student Members Fetewi Ghaim, Jeff Nowak, Todd Schmidt, Thomas Stilling.

Visitors: Mary Anne Baker (IUS Social Sciences), Fred Cate (IUB Law) Jim Craig (IUB Psychology), Tom Lenz (IUB Business), Martha McCarthy (IUB Education), Rose McIveen (IU News Bureau), Rita Naremore (IUB Speech & Hearing).

Agenda

1. Presiding Officer's Business
(President Myles Brand)
2. Agenda Committee Business
(Professors Paul Eisenberg and Kathleen Warfel)
3. Question / Comment Period
(President Myles Brand)
(Professors Paul Eisenberg and Kathleen Warfel)
4. Reports from the Presidential Task Forces
(Introduced by Professor Paul Eisenberg, Agenda Committee)
5. Report on Conflict of Interest Policy
(Professor Fred Cate, School of Law, IUB)
(Circular U11-94)
6. Proposal Regarding Clinical Ranks Faculty
(Professors Elton Jackson and Martin Spechler, Faculty Affairs Committee)
7. Report from University Structure Committee
(Professor Edwin Greenebaum, Chair)
8. Proposal regarding Election of UFC Representative(s) to Trustee Executive Sessions
(Professors Paul Eisenberg and Kathleen Warfel, Agenda Committee) (Circular U11-

95)

Summary of Action Taken

Clinical Ranks:

1. Campus faculty councils and senates and the UFC Faculty Affairs Committee shall review the clinical ranks issues, and the UFC Faculty Affairs Committee shall recommend amendments to the *Academic Handbook's* statement on clinical ranks for action at the UFC meeting in February 1996.
2. The UFC Faculty Affairs Committee is requested to review the extent and nature of non-tenure-track appointments at Indiana University. The administration is urged to cooperate in facilitating a comprehensive survey of such appointees. The Faculty Affairs Committee is urged to report the results of their deliberations not later than February 1996.

UFC Representative at the Trustee Executive Sessions:

Recognizing, with appreciation, the Trustees' recent informal granting to the UFC of the right to have some representative present during those portions of executive sessions dealing with issues of direct concern to the faculty, we urge the regularization of the arrangement by which, if possible, the two UFC Co-Secretaries will be present at such sessions. If the Trustees prefer to have only one representative from the UFC's Agenda Committee, we recommend that that person be the senior Co-Secretary in any given year or, when he/she is unavailable, the junior Co-Secretary.

AGENDA ITEM #1: PRESIDING OFFICER'S BUSINESS

BRAND: I have several items of business. First, I am pleased to be able to report to you that David Fulton, interim chancellor from IU East, has been appointed (as of April 1, 1995) regular permanent chancellor. It was the result of a very successful search on the IU East campus. The search committee did a terrific job of identifying several outstanding candidates. It was a difficult choice. I was pleased that IU East was able to stay home for its chancellor, and David has been part of that campus practically from its very inception. So I want publicly to acknowledge and thank the members of that search committee and I was very pleased with the process.

Secondly, I want to report to you about progress (or lack thereof) in the legislature. We were hopeful that the Senate would be able to move from 4% to 5% in its recommendation of operating. Just as a benchmark, we requested in this part of the budget 5.25% -- that would have been our total request, including all of the quality improvement moneys. The governor had recommended 4%. The House, working under the confines of the Bill 1002 (a spending limitations bill), stayed with the governor's recommendation. And the Senate, at this point, is at that recommendation as well. There is another opportunity in conference committee. We are in the seventh inning, maybe the bottom of the seventh inning. So it is getting close to the end of the game. You remember baseball, yes? [Laughter.] We may have some opportunity, particularly with the help of the House now not being under the spending limitation bill, to see if we can find some additional movement. If we can't move all the way to 5%, or worse, if we stay where we are now, the tuition will be higher than 4%. I do not know what it will be at this point. Clearly, that is a Trustee decision, and it will be discussed with the Trustees during their early May meeting. In the end, it depends how well we do in the legislature.

That's the bad news. The good news is that comparatively, we are doing well. The midwest is doing better than each of the coasts in terms of higher education. If you've been paying attention to New York or California, you know that there are some major issues there that they are confronting. And amongst the Big Ten institutions, I think that even if we wind up where we are, we are in good shape. I would like to do better and we can invest that money well. We've had four difficult years and we need to be able to have some catch-up, especially on salary issues. So we will need to be able to continue to work along those lines, but I think, all told, we will have done well, even if we stay where we are. Though I certainly would like to do better, and there are excellent arguments for doing better.

Not to end on a downturn again, but I want you to keep one thing in mind. These are the good years. Higher education in this country will continue to work under fiscal constraint. This is a good time. We will need to continue through our strategic directions project and in other areas to make sure that we are cost-effective, directed, and focussed in our objectives. We will need to be able to [operate under] a constrained budget. We will not revert back, I think, to the expansive days of yore. If they really were expansive, because on a per student basis they really weren't, since the students were flooding in at those times, too. But I think the economy now is about as good as its going to get in the state. That's kind of a mixed message, isn't it? Yes. [Laughter.] But I think that's the truth of the matter.

Finally, before I move on to agenda business, I would like to cover one more item. And for that, I would like, on behalf of the University Faculty Council, to present [this plaque] to Paul Eisenberg, Co-Secretary of the UFC from 1993 to 1995, in recognition of his devotion to our institution and his outstanding work as a faculty leader at IU. And I would like to add my personal respect and compliments to Paul. He has been a wonderful working partner. [Applause.]

EISENBERG: Thank you very much. I'm really delighted. Thank you.

AGENDA ITEM #2: AGENDA COMMITTEE BUSINESS

BRAND: Let's move now to item #2, the Agenda Committee business. Because of the task force presentations and the questions, we are going to make a few changes. We'll delete, for now, item #6 [the reports on IU's relation to IPSE], which will be covered by Paul's comments. Under item #4, I'll only ask for the task force reports from those

IU University Faculty Council: 4/11/95

chairpersons who need to leave early. I'll ask the others to stay until we finish our business under item #9, and have the remaining task force reports at that time. I'll ask the task force chairs to limit their comments to five minutes. We will take the remaining time after those task force reports after item #9 to have as much discussion as you like during that time period. Paul?

EISENBERG: Several things. First, the faculty members who were elected to the about-to-be-formed Teaching Capacity Limitation Committee are as followed: Paul Zietlow (IUB), David Barton (IUSB), Judith Roman-Royer (IUE), Ben Nassim (IUS), Hazel Malone (IUNW), David Malik (IUPUI), John Kofas (IUK). The next step is for Ken Gros Louis, the Bloomington chancellor, working with the Trustees, to add probably just one member of the Board of Trustees to the faculty who have been elected, as well as some few administrators, probably from more than one of the campuses. With those additions, the committee membership will be completed and can then be ready to begin its actual work.

Secondly, I'd like to report on behalf of the Student Affairs Committee, chaired this year by David Towell from Bloomington, that in Bloomington the Student Affairs Committee has been quite busy with activities related to proposed revisions in the Code of Student Ethics, activities which will eventually come to the attention of this Council. His own feeling is that the Bloomington committee should complete its work before submission for final recommendations both to the Bloomington Faculty Council and to this Council's Student Affairs Committee. There are many things that the Bloomington Student Affairs Committee has had to do already in looking over the proposed revisions to the Code of Student Ethics. When last I had a report from Dave, the committee was about to start its examination of part three on student misconduct. So there is much still to do, despite the fact that much has already been done.

Thirdly, in view of the considerable interest which exists among the faculty on some of the IU campuses for faculty on ten-month appointments nonetheless receiving their pay in twelve monthly installments, the UFC's Fringe Benefits Committee has been charged to look into that matter and to make a report on it some time in the course of the next year.

In a similar fashion, the Educational Policies Committee has been charged late in this year with something that will actually have to be done perhaps in the course of the summer and certainly in the course of next year, namely to consider the various position papers which came to those of us who attended the IPSE [faculty leaders] conference -- the conference regarding statewide interest in distance education held a few weeks ago. I'll say something more about that topic in just a moment. (It was that which was supposed to be the substance of item #6 on the agenda.)

Let me mention next that as recently as this past Friday, the IU Health Commission did approve the switchover and transition from the PPI plan to the PPN plan. That is due to be approved officially by the administration and the university, and everyone involved seems to expect that that will occur.

Now I have some words about the conference itself of the Indiana Partnership on Statewide Education [IPSE]. Earlier this year, Kathy Warfel and I were asked by members of the working group of the inner circle of IPSE to convene a meeting of faculty governance leaders from the various campuses of IU and Purdue and from the other Indiana institutions of higher education. After some delay, that meeting actually did occur in Indianapolis on March 24th for many hours, and indeed several of us in this room were present at that meeting in our roles as heads of our individual campus faculty councils. We had reports given to us by some of the members of that working group, including Kathy Krendl (IUB) and Bill Plater (IUPUI). Altogether, we were presented with some ten discussion papers, each one of which raising issues for us here on the UFC and, perhaps, for individual campus councils to consider. Not to go into detail, since we simply don't have time for that right now, let me simply indicate to you the topics of these various position papers. We shall be returning to a lengthier report on these matters, I presume, early in the fall of next year. Following that, there certainly will be ample opportunity for lengthy discussion of the individual issues involved.

Discussion papers focussed on these topics: peer review systems (with regard to distance education courses); credit transfer; scheduling of course sections; what information should or should not be included on student's transcripts when they take distance education courses; the calendar that would be involved; the committee structure of IPSE itself; curriculum planning, since a great deal of coordination is going to be needed among the various Indiana universities (this work is to be done in an efficient and intelligent fashion); proposals regarding definitions of what are to constitute IPSE-sponsored courses at IPSE member institutions; the question of fee transfer among home institutions, originating institutions, and learning centers; and lastly, the proposal of a common fee for IPSE-sponsored graduate courses.

And, lastly, I wish to report that just moments ago during a meeting of the Agenda Committee, that the Agenda Committee voted unanimously as wishing to go on record here today that we would like to encourage campus deans, department heads, and heads of faculty governance throughout the IU system to encourage faculty attendance at IU ceremonial occasions, in particular commencement exercises and Founders or Honors Day. A letter to that effect will be going out soon, albeit perhaps somewhat belatedly, from Kathy and me to the groups just mentioned. That concludes my report.

BRAND: Thank you, Paul. Kathy do you have anything to add?

AGENDA ITEM #3: QUESTION / COMMENT PERIOD

BRAND: Any questions for Kathy, Paul or myself at this time from the group? Hearing none . . .

AGENDA ITEM #4: REPORTS FROM THE PRESIDENTIAL TASK FORCES

BRAND: . . . we will go on to item #4, which is reports from those presidential task forces whose chairpersons must leave. I have two on record. Martha, you wanted to go first?

McCARTHY: The task force that I have been chairing is the one for partnership with public and private sectors. Our charge is to consider strategic directions pertaining to IU's integration with its various constituencies. We decided to address our charge by dividing it into four subgroups. Those subgroups are focussed on education, government, the independent sector, and business/industry. Each of the subgroups have gathered information on existing partnerships, but we did not try to be exhaustive in this regard, given our time-line. Representatives from the subgroups participating in data gathering meetings throughout the state at various locations, including Bloomington, Fort Wayne, Gary, Indianapolis, New Albany, Princeton, South Bend, and Terre Haute, and tried to meet with representatives of these various sectors and gather their ideas as to the types of partnerships that should be pursued. We also used a public listserve, posing questions and trying to get some ideas from individuals interested in work of our group.

During the six weeks that the subgroups met individually, I met with the subgroups' chairs each week to coordinate our activities. The data gathering efforts and subsequent deliberations among the subgroups resulted in a report from each of the subgroups. Our task force reviewed that report. We identified several preconditions for successful partnerships, as well as themes that seem to run across the report. Just to give you an example of a precondition, we feel that for partnerships to be successful, there really does need to be some change in university culture as far as encouraging and recognizing such efforts in our reward and incentive systems. Using the suggestions from the task force and others, a writing team currently is merging the four reports into a single document and preliminary recommendations will be shared, not only with the total task force, of course, but with campus groups on the various campuses who are meeting at IUPUI tomorrow at noon. We encourage any of you there to please attend our meeting; it will be in the Library Auditorium. But we are hoping to get feedback from various groups and then will be refining the recommendations into our final report that will be submitted.

The recommendations pertain to the following themes: (1) Using partnerships to assist us in making research-based information more accessible and meaningful to policy makers, agencies, organizations, businesses, educators, and the general citizen. (2) Expanding IU's instructional role throughout the state, using non-traditional as well as traditional strategies. (3) Expanding applied research activities, based on a systematic assessment of the needs of citizens, government agencies, organizations, and businesses in the state. (4) Expanding opportunities for IU students, staff and faculty to be involved in partnerships with these entities, and that would include volunteerism. (5) Enhancing work force development in the state. (6) Increasing IU's return on its intellectual property through partnerships. And (7) making more creative use of IU facilities and technology.

IU University Faculty Council: 4/11/95

We really do welcome your thoughts and suggestions on any of these ideas. We will, as I say, be holding meetings on various campuses. Bloomington's meeting is on April 27th. A couple of the meetings have already taken place. IU East's meeting is this Friday [April 14th]. So we do encourage your involvement and input.

I'd like to close by saying that it really has been a gratifying experience to work with this *large* group (34 members). We work well together and the subgroups designated excellent chairs to lead their efforts and it has been very pleasant working with them in our steering committee as well. Mort Marcus said that he thinks we should continue these task forces because they have been so much fun. I'm not sure I'd go quite that far on my assessment [laughter], but it has been a good group with which to work.

BRAND: Thank you, Mary. Who else wanted to get out early, now?

BAKER: I have to leave by 3:00.

BRAND: Well, maybe it is best if you make the presentation now, Mary Ann.

BAKER: Hopefully, most (if not all) of you have a copy of a one page "Interim Report from Task Force on Student Persistence and Attainment" in front of you. There are a couple of members of my task force here for whom this will be new information as well, because this was just completed this morning. So I haven't had a chance to get feedback [on this document] from the task force. Our task force was charged with the responsibility of defining effective means for encouraging and enabling students to persist to graduation. We reviewed our current situation, [looking at] information [regarding] persistence in both undergraduate and graduate areas. As we looked at it, we realized that the professional schools (both graduate and undergraduate) form sort of a separate subgroup within this full range of types of issues that we need to deal with. There is a large body of literature in this field and we are blessed at this university by having some of the nation's leading experts in the field as part of our faculty, and they have served a yeoman's duty. John Bean, who is on sabbatical, has come and spoken with the group, and we've been greatly helped by the resources of these faculty. We have tried to review and understand the basis of what others have learned about what is relevant and what factors and concepts seem to be really important when we look at the issue of persistence and attainment and how to maximize it.

We have sent a set of questions to each campus, to the professional undergraduate and graduate schools, and to the graduate school, to get information about current processes -- information about current retention rates in programs and just all sorts of different kinds of things to help give us a basis from which to make recommendations that come out of knowledge rather than just general kinds of statements of what would be good. We are now in the process of beginning to take this bulk of information and to focus in on some specific recommendations. We have not yet, as a task force, really reviewed those. We will begin that process next week. But I've got five examples of the sorts of things that we will be considering (listed in the handout I gave you).

(1) Clearly, the beginning point in looking at the undergraduate issue is, in fact, making a high priority of persistence and attainment. There is room for improvement on all our campuses, and while there are efforts being made on most (if not all) the campuses, there is clearly a long way to go. (2) In terms of trying to identify or trying to formulate objectives, we've included things such as achieving an environment in which the faculty, administrations and students define ourselves as a community of scholars who have joint responsibility for maximizing the success of each member. Within this kind of general notion, what we will then do is to be making some more specific recommendations about how we can work to achieve these sorts of things, without getting down to highly specific recommendations, but in terms of particular aspects. (3) Reviewing the relationship between the academic experience in the first years and persistence to the second year and final attainment. That is an area of concern. [(4) Decreasing the loss of student due to insufficient financial aid.] And (5) evaluating the effectiveness of our current recruiting, admissions, advising and registration processes from the perspective of the student [in order] to find ways to make it work as effectively as possible to help integrate the students into the system. [This is] because one of the things that we know is an important factor is a sense of integration and belonging and match between the student and the campus, especially at the undergraduate level.

We will be doing similar sorts of things, [although] probably the number of recommendations will be much smaller, in looking at graduate links to graduation. Also, as I say, in the professional schools, that information . . . we don't have enough specific information yet for me to even talk about the specific recommendations in those areas. Most of that will be received this week. And then, also, [is] the area of data gathering and resources. An absolutely

necessary component of effective increases in retention or persistence involves having access to information in a sort of complex way on a very . . . when it's needed, which is pretty quickly . . . soon after we receive it. And so, there will also be an element of our recommendation that is involved in that sort of thing.

We are involved in various kinds of hearings. We've got two scheduled that I want to mention specifically. There will be one next Wednesday, April 19th, from 12:00 to 2:00 here in Bloomington at Whittenberger. There will also be on a week from Friday, on April 21st, from 4:00 to 6:00 in the Library Building in Indianapolis.

BRAND: Thank you. Noting that so many of our task force chairs want to talk now because they have other responsibilities, I think, with your permission, we'll go back to Plan A and ask the remaining task force chairs to talk five minutes each and then ask Jerry to follow up and particularly talk about where we go from here, and then open it up for general discussions. Next is Jim Craig. No, excuse me, Tom Lenz.

LENZ: I'm Tom Lenz. Jim is the good-looking guy in the blue coat over there in the corner. [Laughter.] I appreciate this opportunity to be with you. I am chairing task force #8, better known as "operational efficiency and revenue enhancement." We have about 33 members, and, as you might imagine with that many of members and the (approximately) 20 issues that we had to address, we've broken our committee down into subcommittees and groups as the other task force groups have in addressing their issues. So, I wanted to tell you the subcommittee titles and what they are working on, and then we can handle things from there.

One subcommittee that we created is called "Cost Containment," and that is chaired by Chris Keeley. A second, "Revenue Enhancement," is chaired by Jim Perin. A third is titled "High Performance Organization/Universities," and that is chaired by Doug Priest. And, finally, the fourth subcommittee is termed "External Partnerships and Alliances," and it is chaired by Jim Patterson.

(1) The Cost Containment subcommittee is studying several aspects of the university. (A) We are giving a good deal of attention to the Responsibility Centered Management concept that is being used. As all of you know, that has made the university's administrators and faculty not only very cost-sensitive but also very revenue-sensitive. We look at that system as one that is evolving. It has been used for a few years and we have learned a good deal about it. We would hope to be coming forth with recommendations about what changes (if any) we would recommend going forward with regard to RCM. (B) We are also looking at major cost areas, such as health care, retirement, and so forth. (C) There will be a portion of the report that deals with the issue of what is often known as "out-sourcing" or something the "make or buy" decision. There has been work done by task forces in the university and we are familiar with most of that and will hopefully come forth with some recommendations concerning that question. (D) The fourth major theme you'll see from the "Cost Containment" subcommittee pertains to what is termed "activity-based cost analysis." Activity-based cost analysis is a way of accumulating costs and relating them to specific activities or functions that are performed in an organization or unit (e.g., a school, or the College of Arts and Sciences, or various support units). That has gotten a great deal of attention and one of the reasons that is a potentially important area for the university is that activity-based costing permits you to see what it actually costs in terms of people, the equipment, and other resources to perform certain functions and activities. One of the things that we've learned in studying the university and studying its costs is that very often we are asked to make decisions about prices, such as tuition, without a full understanding of the costs that underline those activities. So you'll hear something about that.

(2) The second subcommittee is "Higher Revenue Enhancement." We have tried to cast the net as broadly as possible in looking at revenue sources that are relevant for the university, many of which are continuing, of course, such as tuition and research grants and that sort of thing. We are also looking at licensing, trademarks, distance education (which represents a potentially tremendous revenue source for the university), and also some aspects of publishing. So these and other areas are some that we have investigated that pertain to revenue enhancement, and we'll have some recommendations on each of those.

(3) The third subcommittee, "High Performance Organization/Universities," was put together because we wanted to explore the question of how we administer ourselves, how we are structured, and how we operate. There has been a good deal of research conducted on organizations that have tended to be high performers over many years. Most of this has been done with corporations, and so one of the things that we are doing is looking at what has been learned about creating high performance corporations and then what possible relevance that bears for an academic institution. So that committee will come forth with some principles and guidelines that have been characteristic of high performance firms. Mostly these will have to do with goals and vision, leadership, organization, structure, decision

IU University Faculty Council: 4/11/95

processes, and so forth.

(4) The final committee is titled "External Alliances and Partnerships." Rather than try to specify which partnerships the university should or should not enter into, what this subcommittee will do is deal with two questions. (A) The first concerns the general principles we should keep in mind as guidelines as we undertake any collaborative venture that will join the university, its faculty, and its administrators with other entities, be it a research organization or a corporation. We would like to try to outline those principles so whenever those opportunities come and can be taken advantage of, there will be some guidelines that we hope will be very useful. These will include the issue of intellectual property, which I see is on the agenda. (B) The second question that committee will deal with is engaging in some (I hope) informed thought about whether the university is organized in a way that it can advantage of external partnerships and alliances. Our organization structure today is geared to do a certain thing, and as the world changes and we need alliances with other entities, there arises the question of whether or not we are organized properly to exploit those and take advantage of them while at the same time protect our interests as an academic institution.

So these are subcommittees we have and the themes that they are dealing with.

BRAND: Thank you. Rita?

NAREMORE: I'm Rita Naremore. I am here substituting for Jack Wentworth who chairs the task force on the promotion of Indiana University. I will be very brief -- not because I think what we are doing is not important, but because we are not ready to expand on it very much yet.

We began with, I think, a set of three questions: (1) Is IU an entity which can be marketed, and, how should we define the entity or that set of entity for marketing purposes? (2) What is the image that we want to convey in our marketing efforts? (3) What are the audiences with whom we are attempting to communicate as we market the University? We have made considerable progress on those three questions and are now beginning to get much more concrete in our deliberations. Right now, we are attempting to define the elements of our marketing strategy -- not to define that strategy for the University, but to talk about what the elements of what such a strategy might be (in our opinion), so that some other group can be charged with coming up with a useful strategy. We are attempting to identify our broad, overall marketing theme which will carry meaning to the audiences with whom we communicate. We have identified seven audiences who we believe are important in our marketing efforts. We are beginning to match up those audiences with the [types of] media which we think will be most effective in reaching them. We are about half way through and, I think, making good progress.

BRAND: Very good. Thank you, Rita. Jim?

CRAIG: I'm Jim Craig and I'm chairing the task force on excellence in teaching and research. We have three subcommittees currently: (1) Developing and Retaining Excellence in Teaching and Research; (2) Educating for Excellence; and (3) The Complete Scholar: Integrating Teaching, Research and Citizenship Through Excellence. We still have a number of issues remaining to deal with. We have several public forums upcoming. I want to stress that the [task force] has taken no formal votes, but I thought that I might indicate briefly some of the directions that have been taken so far.

First, I think the [task force] has generally agreed that each campus will need to come up with its own definition of excellence. That is, a single definition probably won't fit all campuses. However, certain principles of achieving excellence are, I think, going to be true across campuses. We need to hire and retain excellent faculty. That's obviously a principle that we all agree with. Related to this principle is the principle of building upon existing strength. Current very good and excellent programs need to be identified, and it is to these programs that a disproportionate share of resources should go. Excellent programs attract and retain excellent faculty members, graduate students, and undergraduate students, and it is on these programs that the scholarly reputation of the University rests.

The standards for promotion and tenure need to be maintained and strengthened. We are considering a model, which we call "the complete scholar," who is excellent in all areas: teaching, research, service, and citizenship. At the present time, this is not considered to be an endorsement of the Balanced Case, but [rather addresses] the question of excellence in all areas.

We are likely to request annual internal peer review for all faculty members. Such reviews are already required in many units. The task force does not favor a plan discussed by the Bloomington Faculty Council a few years ago

[concerning] five-year [period between] full professor reviews, but rather a strengthened, internal yearly review.

We have a number of questions, obviously, still remaining, including: defining excellence in teaching and research at the various campuses and what standards we should use to measure; deciding whether we are doing the best job with our students and how to improve that job; and, then, an issue of obvious importance, [determining] the model of the faculty member who can help us achieve excellence and what we can do to recruit such faculty members here to IU.

BRAND: Thank you, Jim. Is there anyone I left out who needs to make a report from one of the task forces? (We are going to them all now.) After were through, I'm going to have Gerry speak a few words and then we'll have our discussion. Okay? Donald?

COFFIN: I'm representing Barbara Cambridge who is chairing the task force on accountability and assessment. She was unable to be with us today. I should point out that we are, in many ways, a little better off than many of the other task forces, because with the prominence that the whole issue of assessment has achieved and the efforts already undertaken on all of the campuses to work on assessment and accountability issues, we were starting at a fairly high plateau when we began our efforts.

We've established four subcommittees, one on assessing student learning, one on assessing faculty work, one on assessing institutional effectiveness, and one on communicating with our external publics to deal with accountability issues. All four subcommittees have prepared preliminary reports, building largely (at least in the first three cases) on the assessment work that is being done on the individual campuses. Among the interesting things that have come out in the subcommittee on assessing student learning is an emphasis on student responsibility for assessing their own activities and student participation in the process of assessing student responsibility. On the subcommittee on assessing faculty work, there has been an emphasis on expanding the information that we compile and have available on what faculty do and the quality of their efforts. The subcommittee on institutional effectiveness is placing an emphasis on ongoing program reviews, beyond those required for accreditation, as a way of building a picture of the effectiveness of the institution. And the subcommittee on communication to external publics is looking at the possibility of creating what they are calling a "report card" for IU which will, in one form of it, report ongoing sort of routine information (that we do on a regular basis), while another form of it would report on special activities and special functions of the University.

We expect to revise what we are doing now and expect that the chairs of the subcommittees will spend the month of May trying to put this together in some coherent form. We do again, as all task forces do, have a public Listserve, which has been quite active and discussions on it have at times become quite heated. We encourage those of you who would like to participate in those discussions to sign up. I think the way you do that is by sending an e-mail message to "listserv@indycms.iupui.edu" and saying "subscribe assess". Then you can get 100 e-mail messages a day, the way the rest of us are. [Laughter.] So that's where we are. We encourage and welcome your participation.

BRAND: Anyone else representing one of the task forces who hasn't been called? Okay. Gerry?

BEPKO: Well, I think it is important to look at the whole span of activity of these task forces, beginning with the event [that occurred] in this very room and in this body six months ago (almost to the day) when President Brand gave his message to us. In that process, he described his strategic planning initiative that he suggested might lead to the definition of "America's New Public University." What we've been doing since that time is to take deliberate steps to define America's New Public University and putting Indiana University, even more than it has been in the past, into the national forefront.

The first thing that we did after that meeting at which Myles gave that message was to create a steering committee which had nine persons on it, including both Kathy Warfel and Paul Eisenberg. The steering committee worked in November and December until about December 17th compiling hundreds of names to be appointed to the eight task forces that would address the eight topics that Myles had outlined in his paper. It was an interesting task and I learned new nomenclature and new taxonomy for different roles that are played in the University. We committed ourselves to have as the chair of each task force a "pure" faculty member, untainted by administrative appointment [laughter], and also to have the majority of each task force consist of pure faculty. There are some 225 persons serving on the task forces now. The vast majority of them are pure faculty.

IU University Faculty Council: 4/11/95

The task forces had their first meetings around January 15th and those meetings have been taking place periodically, as you've heard described by some of the task force chairs. There are a host of meetings of different kinds taking place, both with the subgroups of the task forces, the task forces themselves, and at open forums designed to encourage people from IU and the public to come and make their views known about these topics. You've also heard mentioned that we have very active listserves, and we have some 750 people who are signed up on the task forces' listserves. So this represents a very substantial segment of the University directly involved in communicating and sharing ideas about the topics under study.

The work of the task forces will come to a close in June. I think June 15th is the date for all of the reports to be finished. So from 1/15/95 to 6/15/95 the task forces will have worked on preparing recommendations for strategic directions for the University. When those reports are finished -- and, incidentally, the steering committee has now been expanded to include all of the task force chairs -- that larger steering committee will be meeting from now until June 15th periodically to work with the task force chairs to try and prepare their strategic recommendations in the best way possible so that they will be practical and also (hopefully) have an impact on our institution. When those recommendations are submitted, the steering committee will work over the summer. Paul, Kathy, the task force chairs, and the rest of us on the committee will compile . . .

[Tape was changed; some words were lost.] . . . will be purely administrative. Tom Lenz mentioned some of the work of the task force on operation and efficiency and revenue enhancement. Some of those strategic thoughts will be purely administrative and there may be some comment back on these strategic directions before they are recommended to the Trustees of the University. Incidentally, there is a Trustee of the University on each of the task forces. Some of these recommendations will be sent far and wide for comment, because it will be necessary to have a consensus across the University before taking any steps to implement or before recommending these to the Trustees for adoption. Some of the strategic directions recommendations will have to be sent to various faculty governance groups in the schools on the campuses and to this body for review and adoption. We will be working on those issues in the steering committee this summer, but it is contemplated that at the conclusion of the process, the Trustees will adopt the package of recommendations that have been approved by the university community as a "Strategic Directions Charter for Indiana University." That charter will go back to all of us again as members of the faculty and as members of the staff and student body of the University for implementation over the next couple of years. We hope that by then this process will have charted a somewhat different course for various parts of IU and for the University as a whole. In some ways, we will be a different and much better institution in the year 2000.

BRAND: Thank you, Gerry. This is obviously a complicated process -- intentionally so, so that it would be both inclusive and participatory. The results will yield a set of directions for us to follow for the foreseeable future for this institution, and that is why it is important, I think, to have wide participation and generous discussion. Speaking of generous discussion, that is what we have left time on the agenda for. We have fifty minutes, if we need that much, to talk about the issues raised by the task force reports, or general issues about this process. [Pause.] I'm being deafened by the silence. Elton?

JACKSON: I have a sort of a gloaming kind of feeling. We are operating in a new environment. Different models of the university are being advanced around the country. And terms like "competitive," "getting the edge," and "cost containment" are prominent in this discussion. We obviously can't choose to operate in some other environment: we have to live in the world as it is. But I would hope that a lot of attention be paid to the traditions of the academy and maintaining the historical strengths of the institution, as opposed to buying into (perhaps) corporate or business models and turning away from the historic role this university has played.

BRAND: Tom, I suspect your task force has probably talked about some of those issues.

LENZ: I would offer a comment. I know that two or three of our subcommittees have confronted this question directly. It is of great concern, because, as I mentioned, many of the terms and concepts that we have been using have grown out of the private sector, and their relevance to the university is not always clear. So as we begin to frame up our recommendations, the only thing I can assure you is that this has been one of the hottest topics at every subcommittee. We are going to be very sensitive to relevance of the traditions of the academy, because that is what we are -- a university first.

BRAND: The issue is really how to build on strengths and traditions within the new environment. I think that is the problem -- not the answer, but the problem. Martin?

SPECHLER: I agree very much with my friend Elton Jackson. I'd like to state that to do this effectively, we won't be able to avoid adding to our own workload. I think that academic advising is part of the traditional strength of the academy, and we've allowed this to slip out of our hands into the hands of well-meaning, well-trained non-faculty. I think assessment and evaluation of our own teaching and research is part of the traditional academy. And I believe we've allowed that to slip out of our hands into the hands of people who are especially trained but who are not part of the faculty. On and on, things have been conveniently put in the hands of specialists who are not faculty, and I think we have to think in terms of reclaiming some of those responsibilities, even though it will mean more work for us.

BRAND: Other comments? You are not being asked to react to any specific recommendations or proposals at this point, but we are on that path. Al?

RUESINK: The reports were a little bit general . . .

BRAND: Right.

RUESINK: . . . and I assume that embedded within the thinking of most of the task forces are some ideas that might be controversial or that require more thought before we could live with them. I wonder if any of the chairs have things that they would like to share that are the issues that we are going to see and respond to when some reports come out in a little while.

BRAND: Especially so that they can get an early reaction.

RUESINK: You know, I was thinking about that.

BRAND: Yes. [Laughter.] Mary Ann?

BAKER: My task force [] is [not in the position to make any] formalized recommendations, but it is clear, as we have looked at the material, that the kind of thing that is most effective in terms of effecting persistence and attainment is the issue of the whole community being committed and concerned and valuing each other in a way that [can potentially have] some very controversial consequences. It can maybe be said in ways [such that] it doesn't sound that way, but it involves changes in attitude about approaching students' success and the concept of responsibility and what is involved. What it becomes is everybody's responsibility. Then the trick, from my perspective, is how you turn that into more concrete kinds of actions in order to achieve that sort of goal. But that to me, as I see it at this point, from our committee, is the most . . . radical. I mean, maybe it is controversial in a sense, but it involves a thinking and an approach and a concept which is alien to some of the traditions of the academy, which is, you know, be tough and . . . be good, and that is your responsibility and the faculty's to hold standards and that sort of thing. So I think that is one that really comes from . . . something in that form will come from our task force that will probably be somewhat controversial.

COFFIN: One thing that we've been talking about in the accountability and assessment task force is sort of a series of questions that deal with: (1) What are we doing? (2) How well are we doing it? And, what is likely to be the most controversial, (3) Ought we to be doing that anyway? That is, that we have sort of come to the conclusion that one part of the issue of assessing institutional effectiveness is asking whether there are things that we ought not to be doing and talking about ways and attempting to identify things not only that we do and do well, but perhaps even things that we do well that we shouldn't be doing. So that is likely to be a part of what is going to come out of that group.

BRAND: Chris?

LOHMANN: Maybe I didn't listen carefully enough, but one of the things that I haven't heard from these very brief (and obviously very general) reports has been the whole issue of tenure and the public discussion that is going on about that. The latest issue of the *Chronicle of Higher Education* that I picked up on the way over has "tenure" written all over the front page and on many pages inside. We had the National Secretary of the AAUP here yesterday speaking on that issue. It is a hot, very important issue. There are forces in Washington talking about that in a major way, as well as in many state legislatures. It seems to me that the whole issue of tenure cuts across a lot of these -- not all -- but a lot of these task forces. Certainly, the task force on excellence will have a lot to do with that. So I

IU University Faculty Council: 4/11/95

wonder if those chairs present could say something about to what extent that issue does cut across their particular area of investigation and how they are planning to address that or if they are planning to address that.

BRAND: Either somebody from the task forces or maybe Ken from the steering committee can address that.

MAXWELL: I'm on the assessment task force on the subcommittee on faculty work. We are dealing with that slightly by talking about post-tenure reviews on a regular (perhaps three-year) basis and about the consequences on those reviews, which might result in a different type of workload for faculty during different parts of their career life, and even the possibility of dismissal or termination of tenure.

BRAND: You expect some recommendations in that regard?

MAXWELL: Yes.

BRAND: Okay. Anyone else? Gerry?

BEPKO: I don't know no of any task force that has taken up the question of tenure, but it seems to me that all of us are committed to the continuing existence of the principle of tenure. The best way to deal with the storms of criticism that have come over the last decade or so that have been focussed on tenure as an issue is to take up the eight subjects that these task forces are dealing with and deal with them forthrightly and concretely and create America's New Public University. I think the issue of tenure will disappear.

BRAND: If I may speak from the chair . . . my sense, Chris, is that the issue of tenure is this month's or this season's buzzword. We've heard a number of these over the last several years and there will be another one coming down the road. I think we have to be cautious in our reaction to that. Tenure, meaning academic freedom and the protection of academic freedom, cuts very deeply into the nature of the academy, and we would give it up at, I think, tremendous risk to the entire project of the academy. On the other hand, the issue that, I think, is being attacked in *The Chronicle* and in some newspapers and certainly by some pundits who are reinventing this, that and the other thing is job security for those who are not performing well. Now, that issue, I think, we have to take up, come what may. Not in the guise of tenure, because that's an academic freedom issue, but in the guise of performance, through the assessment task force or the excellence task force -- some way in which we can confront what is the substantive issue. We need to do that for our own well-being and future, not because it is a buzzword and because we ought not to, I think, attack something that really is the foundation and heart of the institution. So that's my perspective.

Do you want to talk a little bit . . . there was another controversial issue that I think probably slipped by when Jim was talking about supporting and developing strengths.

CRAIG: Specifically about disproportionate shares of resources going to excellent programs? Yes, that seems to be something that the committee is in agreement with at the moment. That is, that we need to identify those programs that are very good and those that are excellent and those are the programs that need to get the resources. We are mindful of the fact that excellence is something that takes a lot of money and a lot of time to have, but we believe that we have to work within fiscal constraints. So, within those fiscal constraints, can we identify those programs that will enhance the reputation of the University? So, yes, I think that is going to be one of our recommendations -- to see that those programs get the resources and continue to be excellent.

BRAND: That is an attempt to make us more focussed. Let me add something at this point. Many of the recommendations, my expectation is, will not require additional resources, but some will. I am in the process of identifying one time at least, and perhaps some continuing resources so that this becomes a real process so it does produce change. They will be incremental resources. They will not be resources that we will take away from someone to do something new. But where we have some flexibility (and I'm looking very carefully at the University budget to see if I can discover some flexibility -- and I am discovering some), then on the basis of the final report, we will be able to move forward with implementation so that things really will happen and it will not be an empty process but a resource-driven process on the basis of incremental funding.

I assume that ought to attract the attention of some of our deans.

CRAIG: I just wanted to follow up on Chris's comment and your comment as well. I think that the issue of tenure

and faculty workloads and so forth will come out of a number of the task forces, even including promotion of the University and making it clear the excellent job that IU does in terms of faculty and students and graduate students. So, I think on that basis, the issue will be directly assessed -- probably not by an individual task force, but perhaps [collectively.]

BRAND: Other issues or questions? Okay. We will keep you apprised of continuing developments, and I assume in the fall when the compiled draft of the entire steering committee comes forward that you will have something concrete to look at and we'll move from there. Thank you all for that.

AGENDA ITEM #5: REPORT ON CONFLICT OF INTEREST POLICY

BRAND: Let's go to item #5, the conflict of interest policy. Professor Cate?

CATE: Thank you. You have, I think, two handouts for this item. One is the statement attached to the agenda, the "Statement of Principles on Intellectual Property" [Circular U11-94] adopted by the UFC last year and the product of the work of a long-standing committee chaired by Myrtle Scott. These principles could hardly be more important, however, they are not directly relevant to the second handout you have today, which is the item from the Agenda Committee, the "Statement of Compliance with State Law on Conflicts of Interest and Federal Law on Financial Conflicts of Interest in Research" [dated April 5, 1995]. Let me just give a moment's background. The federal government had been toying with, and in fact at one point had promulgated and withdrawn, specific regulations effecting universities that received federal funding for research. In the past year, however, the federal government once again returned to this issue and both the National Science Foundation and the Public Health Service have now issued rules which require that all universities that receive money from those organizations certify in advance of receiving those moneys and in the course of receiving those moneys that the researchers involved in the research funded with those moneys do not have financial conflicts of interest. A financial conflict of interest is described in the document as at present \$5,000 or 5% ownership interest, reflecting the faculty member as well as the faculty member's immediate family, in any external entity unrelated to the University which would be effected by the research. Now those laws, which come into effect in June, require that the University have in place by the time they take effect a procedure for responding to the funding agencies -- for assuring them that we are in fact in compliance. Currently pending before other federal agencies are similar regulatory requirements.

The document we have is drafted by a group of administrators headed by Bill Farquhar and Robin Penslar. They presented that document to a committee on conflict of interests which was created earlier this year. At that point, we suggested that their document be redrafted not as a statement of policy, which would have pushed the committee beyond its possible endurance to have fully come up with this statement on policy in the short time available to it, but instead really as a statement of compliance with the two sets of laws applicable in this situation: (1) state law on conflict of interest; and (2) these new federal laws on financial conflicts of interest and research. That is the second document you have in front of you -- that statement of compliance.

Now, I would add, the committee on conflicts of interest and conflicts of commitment is working energetically and in fact has a draft policy which it is now deliberating among its members that will address policy matters dealing with conflict of interest and conflicts more generally, and I would hope that that will be coming before this body some time next fall. Let me add, also, going back to the other document that you have, the principles on intellectual property, that that is also the subject of an ongoing committee that was set up as a result of those principles, and that committee too, I anticipate, will be seeking to report to this body sometime next fall as well.

So with that. Let me stop. I'll be happy to answer any questions if you have any.

SCOTT: Fred, do I understand that the appendix, that is the AAUP statement on government-sponsored research, would also be included in the *Handbook* with this compliance statement?

IU University Faculty Council: 4/11/95

CATE: That is what is intended now. And in fact, the statement is currently included in the *Handbook*, so it would certainly continue to be included. Ultimately, I think we would anticipate, assuming agreement here and also from the Trustees, that this statement, as well as the statement of the AAUP, might be replaced or supplemented with a more comprehensive policy that would address a wider range of issues.

SCOTT: Thank you.

BRAND: Any other questions or issues?

RUESINK: I see a number of institutions are putting together similar kinds of documents. How does ours compare to others?

CATE: Our statement of compliance looks very similar to what others are doing. The statement of compliance seems to be a reasonably common way to respond to these fairly short deadlines without having to put in place full-fledged policies. In the process of developing our policy, at least in the draft currently being debating, we have consulted with a number of other universities and a number of other committees just like ours. Therefore, I hope we have drawn on some of the best elements we can find. At the same time, I think that certainly the terms that are currently being talked about are somewhat different and that we've approached the issue not so much [as a] restriction -- as [identifying] something we have to stop in terms of conflicts of interests -- but rather as sort of an important balance between the faculty or member of the university in general and the right to participate in activities outside of the university or unrelated to the university at the same time the university gets the assurances it needs that its interests are being protected. So it is being approached more as a partnership than as a series of restrictions or rules.

BRAND: Any other questions? I will entertain a motion that this will be approved . . .

SCOTT: I so move.

BRAND: . . . for inclusion in the *Handbook*. [Laughter.] Can I have a second on this motion?

LION: Seconded.

BRAND: Any discussion on this? All in favor please say "aye." [A chorus of "ayes."] Opposed? [None] Thank you.

CATE: Thank you.

AGENDA ITEM #6: PROPOSAL REGARDING CLINICAL RANKS FACULTY

BRAND: Okay, turning to an issue that was taken up at length at the last meeting and to continue that discussion, and that is the clinical ranks faculty proposals. First, I'd like to call on Professor Spechler.

SPECHLER: Thank you. I'm wizeden to move the three-part motion contained on Circular U13-95 which was distributed to you by mail and also on the table before the meeting. In the two weeks since our last meeting at Richmond, my co-chair, Elton Jackson, and I have endeavored to address some of the very thoughtful concerns that were raised at the IU East meeting. We have not, of course, been able to convene the committee, but we have talked to many of the members and received e-mail messages from them and from others. This has proved to be quite a lively matter. We've done our best to improve the motion that you saw two weeks ago and to present you two different conceptions of how we should go ahead. I'd like to present one of these conceptions here and leave to my colleagues from the School of Medicine who are here to talk about the particular needs of the School of Medicine and other schools which prompted this approach in the first place.

Now, there are five things that we have included in this motion. The first thing is that the cap will apply to all schools

(at their discretion), but also will apply to each and every appropriate academic unit on each campus. So, a majority of the faculty on each campus from each school would clearly have to be tenured or tenure-track faculty. Secondly, we've added a sentence suggesting faculty supervision over the use of clinical ranks, something that we've already adopted at IUPUI. Thirdly, in response to the inquiries of several members, we've included a brief definition of clinical ranks to specify that these are faculty providing care or service to patients or clients, or who supervise students who provide such service, and, we've said, that clinical appointments are not intended for persons engaged mainly in classroom teaching. So this delimits the clinical ranks to the School of Medicine and like schools offering service to the public in our New Public University.

Two large issues came up in the discussion at Richmond which we felt really could not be dealt with in two weeks and without considerable research and consultation with the committee and beyond the committee. First was the issue of irregular appointments, which have proliferated all around IU -- people offering courses without appointments that bear any relation to what is in the *Academic Handbook*. We need a survey of this. We need to understand the concerns of these people and what role they play. Clearly we could not obtain this in two weeks, but if you pass this motion, we undertake good faith to pursue the matter and to report back here no later than February 1996, and if possible, earlier.

The fifth and final issue that was raised, again an issue we think of considerable importance but one that cannot be resolved in the space of two weeks, is the matter of tenure or some other protection for the academic freedom of individuals in the clinical ranks. We think this is quite important, but opinions will differ and no doubt, this will require some considerable thought. After all, clinical rank faculty are responsible for service and teaching, and not (in any meaningful or large-scale way) for research. That raises the issue of what kind of long-term protection they should have in our university.

So those are the five concerns that we've addressed in this motion. I'm not going to say very much more about, leaving it to people who know more about the substance of the issue. But I would like to make one appeal to you. The original motion has the overwhelming support of our colleagues in the School of Medicine and in other schools which are distinguished schools of IU. It has the unanimous support of the IUPUI faculty assembly. It has been considered at length by a task force headed by my friend and colleague, Richard Turner. This is not something that has just been pulled out of the air by some economist. [Laughter.] Not at all. This has been seriously considered. I would like to urge you here on the UFC to think twice about second-guessing the judgment of distinguished colleagues who are in a school where the needs are very different from yours and where the procedures are very different from yours, but where the concerns for academic freedom and standards are just as high as yours. So, I would like to commend this motion for a positive vote at this time. Thank you.

BRAND: Since it came from the FAC, it does not need a second . . . ?

GREENEBAUM: No, it has not come from the FAC.

BRAND: Oh, it has *not* come from the FAC. Then it does need a second. Are you seconding it?

GREENEBAUM: No. [Laughter.]

EISENBERG: Not likely.

BRAND: It needs a second.

FELDMANN: Seconded.

BRAND: Okay, it is now on the floor and is open for discussion. Professor Jackson?

JACKSON: I would like to move a substitute motion which is before you on a plain white piece of paper. Unfortunately, it has no heading, but it begins with the words "The University Faculty Council recognizes that limitations of Clinical Ranks in the *Academic Handbook* are making it difficult for some of the university's professional schools . . ." and so on. I trust that all of you have that. The IUPUI motion addresses the need of some of the professional schools, but the remedy, namely raising the potential number of clinical, non-tenured faculty to as high as 49% of the full-time faculty, is one that raises serious questions about the nature of the university. Now, for example, let me just read three or four sentences from an AAUP document that was put out in 1986 by Committee A on Academic Freedom and Tenure. The quote concerns the "recommend[ation of] the institution of regulations on

IU University Faculty Council: 4/11/95

academic freedom and tenure," and the quote goes on to say, "with the exception of special appointments clearly limited to a brief association with the institution, all faculty appointments are of two kinds: probationary appointments (that is to say, tenure-track), and appointments with continuous tenure Since 1978, regularly funded, fixed-term, annually-renewable or indefinite full-time tenure-*ineligible* appointments (some of them with rather eccentric or unorthodox titles), running parallel to and in many cases replacing traditional tenure-track positions have remained a persistent phenomenon in American colleges and universities These (non-tenure track) appointments do considerable damage both to the principles of academic freedom and tenure and to the quality of academic institutions." It seems to me, therefore, that the issues raised here need to be discussed much more thoroughly. At the last meeting of the Bloomington Faculty Council, the BFC unanimously moved that the UFC take no action on this matter until the whole matter can be considered more thoroughly next year.

However, realizing that the professional schools do have a problem, and in consultation with some members of the AAUP from Bloomington and members of the Agenda Committee and other parties, we have worked up this substitute motion which is before you. Now, it does several things. In the first point, it raises the cap essentially from 15% to 30%, allowing for up to . . . say that 70% of the full-time faculty shall be tenured or tenure-track, allowing the 30% (for example) to be non-tenured clinical ranks. The motion, though, presents this as a temporary measure, a one-year loosening of the cap, while the matter can be considered more thoroughly. Then in parts two and three, repeating many of Marty's motions, we say that the university community in general, and in particular the UFC Faculty Affairs Committee, shall review the clinical ranks issue and shall also look at the nature and extent of non-tenure track appointments in general during next year and make recommendations to the body.

I think that the essential problems with approving the original motion are (1) that we raise the cap, and (2) that we allow any school that pleases to appoint large numbers of non-tenured faculty, and that means that the university as a whole would be a different place.

BRAND: Can I have a second for that substitute motion?

LOHMANN: I second that.

BRAND: Okay, we are now discussing that substitute motion.

LOHMANN: Just to extend Elton's comment, I take it then that the last sentence of the first part of your motion also suggests that it is not just a sort of temporary uncapping, but that uncapping should only apply to schools that now have these ranks and cannot be used by other schools or units. Is that correct?

JACKSON: That's what it says.

LOHMANN: Alright.

JACKSON: In fact, the first part says "schools currently employing clinical faculty may . . . increase the number," implying that schools *not* currently employing clinical faculty not be allowed to make clinical ranks appointments.

FINEBERG: I speak against this motion. First of all, the wording, as it's been reconstructed on April 6th [Circular U13-95], in fact precisely delimits who those clinical faculty are. In today's environment, and as we proceed into the future, it is impossible to conduct the activities of the professional school on a high academic level with substantial research programs without the freedom to have a fairly substantial cohort of clinical rank faculty. We are not living in the age of the 1910 flex [medical school], when we had virtually no full-time professional faculty and medical students and we basically had largely volunteer faculty. You cannot equate today's medical school necessarily with today's liberal arts school. It isn't quite the same species of animal. The wording in this motion dated April 6th basically is very precise and it does not necessarily apply to other schools. It applies precisely to individuals who conduct clinical activities, clinical teaching, and patient-based kinds of services. That does not apply, for example, to a professor of Greek or English, and I think it doesn't leave a way out largely to replace your professors of English and Greek and all of the other things that I grew up with in my education with clinical rank faculty. [The April 6th motion] precisely delimits who these individuals are. Therefore, I think your [Jackson's] motion is rather destructive. It doesn't permit these professional schools, which are distinguished and have great research programs, the freedom to continue in today's environment.

JACKSON: Well, I guess the question is if a school, including a professional school, is employing large numbers of people who are engaged in training or teaching students, then those are faculty. I don't understand why some procedure cannot be devised to give those faculty protective tenure. To say that almost half of your faculty will be non-tenured seems to me . . . I don't see why keeping them non-tenured is somehow essential to the task of professional schools.

TURNER: I'd like to speak against the motions because of the things it seems to me it is going to lose that would work especially for the benefit of the faculty. The one thing that the change makes is that it gives faculty control (which they didn't have before) over whether or not a school will have clinical ranks or at what rate they will be allowed to have them. The policy puts that in the control of the faculty. Secondly, the policy extends to clinical ranks faculty a whole series of protections -- in fact, all of the protections any tenure-track faculty member has -- and gives them all the options of the field. This would be lost if we were to accept the substitute motion and not accept the policy as stated. I think that clinical ranks appointments do indeed have an impact and a bearing on the nature of the university and the issue of tenure. But we already have clinical ranks; we've had them since 1987. We've also had a whole series of other, non-tenure track appointments, and the suggestion that perhaps now its time for the university to look into that may be a good one. But that decision seems not to be precipitated by this proposal to accept the amended wording. The medical school faculty needs the relief -- at least that is what they are saying. Other schools may want to leap in to say it is up to the faculty to make that decision, if other schools decide they want to introduce this.

BRAND: Professor Lion?

LION: I would like further explanation of the nature of this crisis. (I think we used the word "crisis" at the last meeting in Richmond.) The medical school *already* hires and works with 51% -- more than 51%. I believe there was a medical school professor who said that her department had *more* than 51%. She also clarified that the faculty who were clinical ranks did not earn less money than those who were tenured. In fact, she was clear that some of them earned *more*. So what is the crisis? You are already operating with 49%-50%, and in some cases 51%. What is the crisis? Is it the crisis that you want us to affirm [what you are doing]? So, I think that deliberation is likely. I like 30%. I am a member of a professional school and we operate only with 15% of our faculty (and that's on six campuses). What ever disabling factor that means for us, we struggle with. We have not gone beyond the 15% in defiance of whatever our other faculty members say to us. We have a crisis in teaching. We want to use clinical professors. But we want very much to have it much more clearly defined -- a more precise definition of who they are, what they are, what they do to remain clinical ranks, and a particularizing of how they continue or how they should and must contribute to the academic atmosphere. If I could have more information about why this is a crisis in the face of already operating with 50%-51% clinical faculty, I would be better able to formulate my decision. It is important that I know the crisis and the nature of the crisis will no doubt affect how I vote.

BEPKO: I'm not sure about the departments that Elizabeth has referred to, but I believe that the crisis that has been developing over a couple of years time has to do with the total cap for the school, which is 15%. About two years ago, we reached 15%. Since then, based on an agreement that was reached at the IUPUI Faculty Council we have sort of a "don't ask, don't tell" policy [laughter], such that I think it has been implicitly acknowledged that we have gone above 15%. This is not a good situation, incidentally. I think there is still an inhibition here -- people willing to say we'll look the other way if there is some breaching of that 15%. Even if that is true, it bothers us greatly to have exceeded the constitutional limit. It is creating competitive issues of very serious magnitude for the medical school. When I say competitive I don't simply mean competitive in terms of health care, which is one dimension. But other medical schools don't have this cap.

[Tape was changed; a few words may have been lost.] I think the averages are more like 40%. Some clinical schools have as many as 60% or 70% or 80% clinical appointments. The flexibility to have more clinical appointments is something that is necessary for our medical school to be competitive with other medical schools.

BRAND: Professor Warfel?

WARFEL: I have several responses to a number of the things that have been said. I think that part of the sense of the crisis comes from the cap for the school. Professor Lion, the woman you are referring to is a professor of anesthesiology. This is not a case where the patient comes in for five minutes and moves on, but they spend hours and hours in the operating room supervising. And so that particular area may need more clinical people than another

IU University Faculty Council: 4/11/95

area. Another part of the crisis in my mind is because the original language in the *Handbook* is so unclear about delineating what clinical ranks are as opposed to other ranks, that we find that we have not used it clearly and carefully. This has meant that some people who are in fact doing teaching, service, and research, leap off of tenure-tracks and hide in clinical ranks, staying indefinitely, and their research is never held up to much scrutiny. At the same time, we have people who are doing teaching, service, and research who are put on clinical ranks and are denied the protection of tenure that they deserve. I think that referring to the AAUP guidelines saying that faculty shall be tenured is fine, and that's nice. But the clinical rank people are not substitutes for tenure-track people. They are not doing the same thing. They *should* not be doing the same thing. They ought to be doing something very distinctly different. And therefore, they are not substitutes -- it is not a parallel track or a substitute track.

I'd like to speak in favor of the original motion and against the substitute motion, particularly against item #1 in the substitute motion that says that "tenured and tenure-track faculty shall represent at least 70% of the full-time faculty of the school," let's say the medical school. I think that could be a problem for us today. I think we might have to get rid of some people. Because we not only have clinical ranks people who are not tenured or tenure-track, we have other ranks that are not. We have research scientists, lecturers, and geographic full-time (but on the record part-time) faculty, all of whom count as our full-time faculty. So the 70% would be a problem even today. It would not accommodate a short-term increase for us; it might actually force a short-term decrease for us.

I have great admiration for the Bloomington faculty and their perspective on faculty governance, but I must point out that it is at IUPUI, in particular in the health schools, where we have the experience with the clinical ranks, the understanding of the clinical ranks, and the understanding of our needs. Martin has, I think, explained how we came to this point. It has been a tremendous effort. The language in Circular U13-95 has been very carefully crafted and it arrives at a point that represents a tremendous improvement academically, and yet something that the medical school in particular can live with and can operate under. I would urge the Council to pass that today and to go ahead and consider the other aspects of the situation as will be productive.

SCHERER: I have a number of questions. I find it very difficult to decide on this, and I suppose many of you here today do too, because this is outside the personal experience of many of us. We don't really deal in a day-to-day situation with clinical ranks. So I have many questions I need answered before I really think I can come to an intelligent decision, and so far the discussion today has not answered many of those questions. One question that I have, for example, for Professor Jackson is, why would it not be more suitable simply to substitute for the current motion, where it says "51%" to say "70%", instead of the entire motion that you have here? The reason I say that is because it seems to me the wording, into which I think considerable thought has been given, is in a number of respects superior in the original motion than it is in yours. I realize what you are saying. You think we should not decide on this because you don't think enough thought has gone into it and more time is needed. But I'm not entirely convinced of that because there are so many people who feel that we need to act now. I think that although this might not be ideal wording [in Circular U13-95], there is nothing that prevents us from improving it a year or two years down the pike rather than just postponing it entirely. Because I do think that there are many aspects of the original motion which are improvements over the existing wording.

On the other hand, it seems to me that there is a very good point made by this substitute motion and substantiated by a lot of the discussion, both last month and this month, to the effect that we have a serious problem with defining clinical faculty, and that even members of the various schools involved admit that the way this is currently defined is not right -- is not correct, also, but it is also not right. Many of these people seemingly should not be classified as clinical faculty because they are really performing as essentially regular faculty, and a good part of the problem could be taken care of if we would go through and really carefully examine who should be classified as clinical and who should not. So by going, for example, to 70%, which is doubling the present situation, we would be relieving the problem in one sense, and by going through and redefining people who are currently clinical who should not be clinical but should be regular faculty, would take care a good deal more of the problem. So my main question directed to the people presenting the original motion is, in light of this serious reevaluation that needs to be made of who is clinical and who is not, is it really necessary to go so far as to 51% of the faculty?

BRAND: Okay, let's try and answer that question that has been put to the people who put the original motion. Anyone want to tackle that?

WARFEL: I'm not sure about your interpretation of the 51%. The 51% is the absolute minimum percentage of

tenured and tenure-track faculty that a school can come to, but it doesn't mean that it has to get that low.

SCHERER: I understand that.

BRAND: Discussion? Ed?

GREENEBAUM: I support the substitute motion, although this is such a complicated business that I don't guarantee that those of us have worked on it have every bit of it right. I'm clear in my mind that I have respect and admiration for the work that the IUPUI faculty have put into this. And I'm clear in my mind that in this changing world that there are problems that the medical school and other schools are facing that need attention. But it is not the thrust of the substitute motion that these matters should not receive attention. The thrust of the substitute motion is that to provide until next November to have an opportunity to review the matter thoroughly from the vantage point of other campuses that have not reviewed the matter to this time.

I'm very concerned about the issue of faculty governance involved in this. The IUPUI motion does not address this issue at all. It does not specify whether clinical faculty will or will not participate in faculty governance or in what matters or to what degree. Nor does it determine who shall determine that. I think the idea of having up to half one's active faculty not participate in faculty governance is unthinkable. On the other hand, having faculty governance in the hands of people half of whom are on limited-term contracts is a very difficult problem. I think it is something that we ought to think about very seriously and digest. I think there may be possibly more than one solution to this issue to be resolved, but I am very reluctant myself to amend the language in the faculty *Handbook* without the matter being addressed.

I do understand that the proposal is limited to people who will be involved in clinical service in a stricter or narrowly defined way, but there is an aspect of the definition of clinical faculty that I think we need to address and which I don't think we are ready to address today. The phrase is "Clinical ranks may be held only by faculty providing care or service to patients or clients or (to those) who supervise students providing" such services. It does seem to me that there is a line to be drawn between faculty who supervise students who teach or do academic work and professionals who do not do academic work. So I wonder why we need the phrase "by faculty providing care or service to patients," independently of the other provision. Not knowing how to deal with that, in fact, explains why after some debate those of us working on the substitute motion decided that that wasn't something we could deal with now, but said in the substitute motion "clinical faculty may be assigned only such roles and responsibilities as are currently assumed by clinical faculty."

So the more I hear about how complicated it is, whether from the proponents of the substitute motion or its opponents, the more convinced that I get that all of us that are involved in making this decision need to have the opportunity to understand the matters and review them in all their respects and why I think we should delay making any change in the *Handbook* until we've had that opportunity.

BRAND: Professor Peters?

PETERS: There is one aspect of both Circular U13-95 and the substitute motion that I find disappointing, and that is that it seems to me that we should have a divided issue here. That we should on the one hand deal with the matter of percentages, and we should on the other hand and separately deal with the matter of the definition and the meaning of clinical [ranks]. I am disappointed that those distinct points are not separated in either of the motions before us, and I think that aspect makes the decision process very difficult.

ORR: This is addressed to Elton, Ed, and maybe Kathy Warfel. I basically support the substitute motion because the original motion seems to take a problem that applies specifically to the medical school and perhaps to some other units and changes things in a way that has unknown and certainly many unintended consequences for the whole broad range of university policy. Whereas the substitute motion seems to say that while we clearly need at least a temporary expansion to fit existing conditions for these schools, let's stop and think before we change the language in the *Handbook* and so forth and so on. I wonder, however, in the context of the substitute motion why the figure of 70% was selected rather than a 51% figure, because it seems to me that would move the two motions closer together without destroying the felt need in the substitute motion to have the issues broadly considered before any permanent kind of decision has made.

IU University Faculty Council: 4/11/95

BRAND: That struck me as a question, Professor Jackson.

JACKSON: It seemed to us extending the cap, which is now 15% (though evidently some schools have already gone beyond that) . . . it seemed to us that doubling the cap from 15% to 30% would provide sufficient temporary one-year relief. It also seemed to us that the vision of the schools, even the professional schools, allowing for almost half of the full-time faculty be term appointments without continuous tenure was just simply untenable. So, we tried to reach a balance between those considerations.

BRAND: Just a point of clarification. Your motion doesn't double from 15% to 30% the number of clinical faculty.

JACKSON: It allows.

BRAND: No, it doesn't. It doesn't say that because it includes in that number people who are not clinical and also who are not tenure-track.

JACKSON: Right.

BRAND: So it does not double the number of clinical. Is that correct?

JACKSON: Well, it would have the effect of doubling the number of clinical if there were no non-clinical, non-tenure

BRAND: Yes, but that's false. There are.

JACKSON: . . . but that's not so. Okay.

BRAND: Right. Okay. Professor Orr, and then Professor Sherman?

ORR: Is it the case that the existing the situation might violate item #1 in the substitute motion?

BRAND: Yes, and that's the point I was just making for clarification.

ORR: If it's appropriate, I'd like to offer an amendment [to the substitute motion] and say 51% rather than 70%.

BRAND: Okay, there's an amendment that has been offered to the substitute motion which is permissible. Is there a second for that?

ANONYMOUS: Seconded.

BRAND: Okay, it's seconded. We are now discussing . . .

ORR: Now, the amendment would have no effect on the *Faculty Handbook* language or . . .

BRAND: What we are discussing now is an amendment to the substitute motion to change the wording from "at least 70%" to "at least 51%" in item #1. That is the change. Okay, since that is on the table, I'll go by my list, if you are willing to speak to that.

SHERMAN: It's so hard to separate them.

BRAND: I was talking about . . . you were next on my list to speak, Jim. Do you want to address that particular issue?

SHERMAN: Yes. It's so hard to separate these . . .

BRAND: Okay, then say what you like. [Laughter.]

SHERMAN: I'll be quick. I've tried to listen carefully, both at the last meeting and this meeting, to try and put this in perspective, and I think what I hear are comments (I think 100% in favor) from the people in the medical school

who are talking about their need. I don't hear a groundswell from any other units, whether they be from the Nursing School, the Law School, language departments, or other aspects of the university, who are saying this is really necessary to our functioning. Other people who talk about this seem to make the cryptic comment that this is something for the medical school and "perhaps other units" (that phrase always gets in), but I don't know what these other units are. If this were something specific to the medical school because of specific and unique needs, and if it were presented that way, I think that I could support it without then worrying about what implications this would have for other units and other parts of the university. If that is what we are after, why don't we simply do that instead of trying to make this very broad and make a lot of people uncomfortable about what implications this would have for the university as a whole.

BRAND: Okay, I'm going to ask people to speak to the motion on the floor now . . .

SHERMAN: I'm sorry.

BRAND: Professor Blake?

BLAKE: I would like to speak in support of the 51%. I am from another professional school besides medicine, and have been in close contact for the last . . . well, since 1987, I've been on this task force. We are very supportive of moving the 15% cap. We are not yet at 15% as a system, and my understanding from the administration is that they would support on all campuses to extending so that tenure faculty would be at least 51%. The important part about this all is that there is no way we could have predicted what is happening in health care today. And I'm speaking more for health care, although I know there are other units that do have clinical supervision of students, such as the Law School. But if we cap it as say the 30% or whatever, then we are going to be coming back constantly. The difference between what we are asking today and what we asked in 1987 is that it is faculty governance who will determine how many and what they will do, whereas in the past it has been left up to the administration of the schools.

SCOTT: On the one hand, I find this discussion very interesting and exciting, because it means that the discussions that we have been having in this Council for the last several years that the nature of the university is changing has finally arrived to the UFC. We are talking about the basic nature of the faculty role and changes in it. I am sympathetic to our colleagues in the medical school and other places where they need relief because of their changed needs and I am willing to do something on a temporary basis.

However, this motion, or this amendment to the substitution for the original motion, could have potential devastating effects at Bloomington. One thing it could do, in some departments, is do away with tenure. If you assume that clinical ranks, or other non-tenured ranks, could rise to 49%, past practice has already suggested that nefarious administrators (certainly not in this room -- we only have the good ones here today [laughter]) are already exceeding that. I say "administrators" because non-tenured faculty hires are made by administration and not by faculty, in many cases. So what that does, or could do, in some cases is effectively do away with tenure. While I'm excited about the New University, I'm not sure I want to do away with tenure.

Secondly, or thirdly, or wherever I am on this list: Often at this Council we have heard from the medical school that the things that will work for the rest of the university won't work for them and that they want time to study this and they want to think about it in different ways. Funny little example today, it's exactly vice-versa. So my solution would be, and what I will do, is to vote against this amendment and I will vote against the original motion. And I hope that my colleague across the way is about to offer a proposal that we can vote for.

BRAND: Ken, did you want to address the motion?

GROS LOUIS: I wanted to answer Jim's comment from before, which has already been answered in one way. The School of Optometry, here at Bloomington, has a severe problem with the 15% cap as well. It is a small school and, as you know, a lot of their work is done in the clinics (two in Bloomington and a larger clinic in Indianapolis). They've found it very difficult to function and in fact are using tenured and tenure-track faculty to work in clinics to try not to exceed the 15% cap. So it's not just the medical school.

BRAND: Professor Warfel?

WARFEL: Well, I was going to comment on Ed Greenebaum's statements, but I guess we have to limit ourselves

IU University Faculty Council: 4/11/95

to commenting on the . . .

BRAND: You're supposed to, yes.

WARFEL: Okay. I'm going to speak against the amendment to the substitute motion. If we amended the substitute motion to say that tenured and tenure-track faculty shall represent at least 51% . . . if we did that without adopting everything else, what we would be doing is saying "Yes, the clinical ranks aren't being used very well, so while we are thinking about how they might be used better and how faculty governance might get involved, let's just let the School of Medicine hire 49% of them." It would be the worst thing.

ORR: It strikes me you've had conversation here that says that is what you're already doing. And so we are proposing to say that that is a problem and let's extend it for a year while we give the issue more depth. The other point, I think with respect to Myrtle, is I agree with you completely, but I thought I would amend it . . . I mean, otherwise I would also vote against my own amendment. But it is the one-year time period here that says to solve the problem temporarily while we give it the consideration that it deserves. It is not an approval of as little of 51% majority in any department. I think that issue still needs to be resolved.

SCOTT: Are you going to be the one to fire all of those people who are hired this year?

ORR: With regard to the consideration of its implication for other units, what I objected to in the original motion is finding something legitimate for the medical school and maybe therefore saying it is more or less automatically based only on faculty vote from every other unit in the university. That's what I find so objectionable in the original motion.

SCHERER: I find this a very difficult motion to vote on because I feel that this Council has very inadequate information with which to decide this. I'm still not persuaded that we need to go for a temporary motion of this sort from 70% to 50% (roughly -- I'm not giving exact percentages). I'm not persuaded we need to go that much further on an emergency basis because I'm not at all certain what percentage of the current number of people classified as clinical in fact should not be classified as clinical, but should be classified as regular faculty. The comments that have been made, both today and last month, from people from the medical school persuades me that there is a substantial number of those people, but I have no information of how many. I am reluctant to push this further than 70% until we get better information.

BRAND: Okay, we need to unwind this a little bit now. Will someone call the question?

ANONYMOUS: I call the question.

BRAND: Thank you. What is on the table now is an amendment to the substitute motion and all it does is delete 70% and insert 51% in item #1. Got it? Let's see if we can do this on a voice vote first. All in favor of that amendment to the substitute motion say "aye." [A chorus of "ayes."] Those opposed. [A chorus of "nos."] Okay, the substitute motion fails.

SEVERAL VOICES: No, no . . .

BRAND: Excuse me. You are absolutely right. The *amendment* to the substitute motion fails. Jumping ahead, sorry. [Laughter.] Now we are back to the substitute motion, and Professor Turner is first on my list.

TURNER: Regarding the substitute motion, it seems to me that one of the things that needs to be negotiated is what we think we are doing when we make the rules for other schools. The School of Medicine does not have a problem. Some here have said that it is impossible to imagine a faculty with 49% clinical ranks. The School of Medicine doesn't have that problem. There are other areas in faculty government where decisions are made about policy that allow for differences. The Balanced Case is in fact an example where accommodations were made. So the impulse to keep the profile of the School of Medicine consistent with the profile of all other schools in the university seems to me as not only unfortunate, but it is unwise as university policy. Short-sighted, as a matter of fact.

BRAND: Professor Downs?

DOWNS: I'm in favor of points two and three in the substitute motion, and although I should not be talking to the

original motion, I am in favor of those aspects of the first motion that call for further study. I agree with what Professor Scherer says about an abysmal lack of exact knowledge that we have not only about other schools but sometimes even about our own in regard to special ranks which are not tenure track. It seems to me, though, in looking at item #1 in this substitute motion, it would -- I know from discussions we had in the Agenda Committee earlier today -- place a burden on regional campuses, because for some of the regional campuses, even to require the more generous figure of 70% of full-time faculty, the proportion of clinical and other special ranks not on tenure track in many instances would exceed the figure of 30%.

I'm going to suggest something with regard to the substitute motion. I'll make it a motion. I'd like to move that item #1 be dropped, and that #2 be numbered one and #3 be numbered two.

BRAND: Okay, there is a motion on the floor to change the substitute motion by deleting the first condition. Is there a second?

ANONYMOUS: Seconded.

BRAND: Okay. We're running out of time, so you should be getting close to understanding what the substance of the issues is, even though there is disagreement. Speak to the motion, and then one or two speakers to that motion, and then will vote on it.

DOWNS: I'm inspired to do this by what Professor Scherer said about our lack of knowledge about what these figures should be in schools and on campuses, and what these ranks mean generally and specifically. Right now, the medical school admits that they have a "don't ask, don't tell" policy. It seems to me that we could certainly allow the medical school to do what they have already been doing (with qualms of conscience). And still, the *Handbook* can be changed so as to reflect what could be accomplished and what should be done with regard to this question. But my amendment would be simply to say that until the Faculty Affairs Committee comes back with an amendment to the *Handbook* that can be supported by all of us, an amendment that would be based on more thorough knowledge of clinical ranks and what they do and non-tenure track ranks and so on and so forth, the medical school would continue to do what it is doing already. We wouldn't get tied up with figures like 70%, which may be right or wrong, or 51%, which may be right or wrong, or 30% or 15% [etc.]. I say this because of a long institutional association I have had with this body, dating back to the early 70's, in which over and over again we've become aware, and I'm still capable of being surprised at this, that the medical school isn't doing what the rest of us are doing. Periodically, this news is brought to us, and people who haven't been here very long are surprised by it. I'm surprised myself sometimes. We try to legislate, and then not too long thereafter the medical school comes back and says, "We can't do it that way; we have to do it another way." What my amendment would do is put the Faculty Affairs Committee on notice that they would need to study this problem and come up with something that we can talk about that is based on a thorough knowledge, and secondly, without arguing about percentages, the medical school could continue with its uneasy conscious to do what it has been doing until the *Handbook* can be amended to reflect the real knowledge and the real intention to do something about getting the situation under control.

BRAND: One or two more comments. Professor Scott?

SCOTT: I second the motion.

BRAND: Oh, I'm sorry. There wasn't a second. Okay. Now, Professor Fineberg and then Professor Yokom.

FINEBERG: Including items two and three does not in any way preclude the original submission. In fact, it would be useful to define, as the original submission does, the clinical ranks position. It would be useful to the medical school. I think at least then there would be fewer games played for positions. It very precisely defines what those positions are. You could easily include items two and three [from the substitute motion] to the original submission. But it would be both a recognition that there is a problem and that more information is needed, as well as an attempt to define better what these positions are and at least recognize reality as it now exists.

YOKOM: Speaking from the health care profession, our needs are great. Currently this semester, we have 88 clinic hours. Of that time, 20 hours are staffed by full-time faculty (one of whom is myself). I am an administrative position member, who [works] 20 [clinic hours], [supervises] a person . . . two days a week, and [is the] director of our program. So to me it is an issue of quality, and you are saying we can only hire part-time faculty. So I have 68 hours of clinical work for my first- and second-year students, I have part-time faculty, and of all those hours only one

IU University Faculty Council: 4/11/95

person is there eight hours a week. Everybody else is there four hours of week. This is a major concern for us in terms of the quality of our program. Getting a clinical rank allows us to have someone there on a full-time basis, manning more of those hours and giving much more consistent, quality instruction to students. So, supervision in these positions is critical and you need to pay something more than \$12/hour to come in for that and you can get a better program. But to me it is very much an issue of quality. And the other side of it [is] that [those of] us at a regional campus . . . have no opportunities really to implement this.

BRAND: Okay, speaking directly to this motion now, and that is to delete #1. Professor Warfel?

WARFEL: Oh. I don't want to speak to that. I want to speak to broad issues.

BRAND: Okay. If no . . . last one, and then I hope someone will call the question. Professor Maxwell?

MAXWELL: Mike, would you accept as a friendly amendment changing "November 1995" to "February 1, 1996"? It seems to me those two things ought to be worked with concurrently rather than not.

DOWNS: Yes.

BRAND: Okay.

ANONYMOUS: I call the question.

BRAND: Thank you. Okay. What you are voting on know is an amendment to the substitute motion that deletes the first condition and changes the date of the second item from November 1995 to February 1, 1996. All in favor of that amended version, please raise your hand. Opposed? [The amendment is approved.] The amended version of the substitute motion is what we have on the table now.

LOHMANN: I call the question on the substitute motion.

BEPKO: I'd like to offer an amendment to that. [Laughter.]

BRAND: I'll recognize the amendment.

BEPKO: I'd like to add a new paragraph #3 that says, "Because of its unique clinical offerings, IUPUI will develop its own standards and policies regarding clinical ranks."

BRAND: I'm not sure that we've got the wording. Could you please say it once more? [Bepko repeats.]

EISENBERG: Some of us can't *believe* that we heard it. [Laughter.]

ANONYMOUS: This is unbelievable.

BRAND: Can we get a second for [the amendment]?

ANONYMOUS: Seconded.

BRAND: Okay. It's on the table now.

BEPKO: In defense of this "unbelievable" suggestion, it seems to me we have a very practical problem here. In Indianapolis, where this problem is most acute, the faculty in the school and on the campus have analyzed it and have concluded that the proposal being made today by the IUPUI Faculty Council is the best solution to the problem. I think that it is because of the unique conditions at Indianapolis that its faculty reached that conclusion. I don't think those conditions exist anywhere else. The other campuses therefore obviously don't have sympathy for the approach taken by IUPUI. There is a resistance. It seems to me the best thing to do under those circumstances is to have the peers of the faculty who are on the scene decide the issue and not have it decided by this body, which I don't think is close enough to this clinical issue to be able to have the same understanding of it as IUPUI faculty.

BRAND: Okay, speaking to that, I've got Scott, Lohmann, and Professor Orr.

SCOTT: I see that differently than you, Gerry. On the one hand, I might be quite willing to agree with you. But what I would want to vote for in that case is a motion spinning off all of the campuses to autonomy. Because what we've just heard instead is that this clinical rank issue is common at other campuses, including Bloomington. The second reason that I see that differently than you is that it assumes that people elsewhere are unable or incapable of understanding the clinical ranks issue and unable or incapable of crafting a policy that would be very responsive to the clinical ranks at Indianapolis and also for faculty roles elsewhere. I don't think that is true, I simply think we haven't had enough time to do it yet. I am very sensitive to the notion that Indianapolis has been working on this two years and frustrated with us two weeks ago and today because we can't quickly agree with you. But this only came onto the agenda at the time that it . . . we only saw this document for the first time when it had to come onto the agenda for the meeting two weeks ago. That's a very short time for something this important.

LOHMANN: I want to agree with what Myrtle said. Yes, I have great sympathy for Gerry's position. Yes, often locally we do see issues that system-wide are very difficult to perceive, particularly in the same way. But I think that if we get to the point where as a University Faculty Council we vote for a campus defining faculty ranks that are going to be included in the *Faculty Handbook*, I say we have not yet reached a civil war state. I think it would be better to hang together and to continue to work on this as a system-wide university with system-wide ranks than to start parcelling it out to the campuses.

ORR: To support Myrtle, I think something probably pretty close to what you are saying, probably modified by the needs of other campuses, might come out of items #1 and #2. I expect the concerns of Indianapolis to be addressed by #1 and #2, but I'd like to see it be an outcome rather than a precondition.

COFFIN: Let me raise another issue. My understanding is that structurally many of the health sciences programs are institution-wide schools. Decisions about, for example, faculty ranks, or the review of faculty performance, are formed not only on the individual campuses, but also at an institution-wide level. What concerns me about saying that "IUPUI will develop its own standards and policies regarding clinical ranks" is that that means if Allied Health at Indianapolis develops policies about clinical ranks, those may be applied to all of the other campuses, because the Allied Health programs on those other campuses report to Indianapolis. So it is not clear to me that we can even restrict this to Indianapolis as well.

BEPKO: I'd be happy to change the motion to take that into account.

SPECHLER: As a faculty member from IUPUI, I would really hate to balkanize our university by campuses. This issue brings up a question of diversity, not geographically, but in terms of functions throughout the entire state. The approach of the original motion, and I believe of any motion that would come up next year, would be to give a certain amount of freedom to schools -- the School of Medicine, the School of Optometry, the School of Nursing, and one of our Law Schools, in particular -- to do what they see fit. The original motion tells the faculty of schools like mine, Liberal Arts, the College of Arts and Sciences, "If you don't like it, it is in your hands not to have it." Now, the point about the irregular appointments is, everybody agrees, a big issue. We are not bringing a solution to that. But we are promising to look into it because it is closely connected to clinical ranks. The reason is that if you approve clinical ranks, especially with tenure, the tendency of administrators who, it was said, have the power to appoint these irregular people, those administrators will have every additional incentive to higher the irregular people and the situation will get worse.

Now, I'd like to say again that this substitute motion really does nothing for faculty governance, nothing for academic standards, and nothing for academic freedom. The original motion improves the situation as it stands and says that we have every confidence in the judgment of our School of Medicine, Optometry School, Nursing School, and other health sciences to run their own functions wherever they exist around the state of Indiana.

BRAND: I would ask that the people who speak to this amendment say something new. Professor Bepko?

BEPKO: I would like to say that it was not my intention to balkanize the university or to spin off campuses. I was making the suggestion simply as one of the possibilities to accommodate the apparently different interests that were involved. It does not seem to me that one size has to fit all. For this area, because there are unique conditions in Indianapolis, it may be that there should be different policies enforced here. It is clear that in some universities, there

IU University Faculty Council: 4/11/95

are different policies that apply to medical schools. Medical schools are sometimes in different organizational units than the rest of the university. That is not an accident, it is because there are special problems in medical education. I offer this in the best spirit of collegiality and as a way of possibly avoiding a sharp difference of opinion that may arise on this fundamental issue of whether there should be a lifting of the cap. It doesn't apply to anything else.

ANONYMOUS: I call the question.

BRAND: I heard the question. All in favor of the amendment to the substitute motion, which is the same first two conditions plus a new third condition, "Because of its unique clinical offerings, IUPUI will develop its own standards with policies regarding clinical ranks." That is the amendment to the substitute motion. All in favor say "Aye." [Some "ayes."] Opposed? [More "nos."] Okay. Good try. [Laughter.]

We are back to the substitute motion.

ANONYMOUS: I call the question.

BRAND: Okay! What we are voting on now is the substitute motion with the first condition deleted and "November 1995" replaced by "February 1, 1996" in what is now condition #1. Okay. I'm going to ask for a show of hands. All in favor of substituting that motion, please raise your hand.

[Tape was changed; some words may have been lost.]

EISENBERG: Okay, twenty-five favor that.

BRAND: Okay. All opposed, please raise your hand.

EISENBERG: Seventeen opposed.

BRAND: It wins 25-17. Okay. So the substitute motion, with conditions #1 and #2 (formerly #2 and #3), with the change in the dates, is now the motion on the table.

LOHMANN: May I call the question on that vote, please? Do we have to vote again on this now to pass it?

BRAND: Yes you do, but I just recognized Professor Warfel before you spoke.

WARFEL: I thought we just did pass it.

BRAND: No. All we passed was substituting this substitute motion for the original. It is on the table.

LOHMANN: So conditions #1 and #2 [of the substitute motion] are on the table moved and seconded?

BRAND: Yes.

LOHMANN: May I ask the question on this motion that is now on the table?

BRAND: I just recognized Professor Warfel.

LOHMANN: I'm sorry. Go ahead.

BRAND: Did you [Warfel] want to say something?

WARFEL: Not at this time.

BRAND: Okay. Sorry. [Laughter.] So now I've heard the question, and what we are doing is voting on acceptance of #1 and #2 with the date changed.

1. CAMPUS FACULTY COUNCILS AND SENATES AND THE UFC FACULTY AFFAIRS

COMMITTEE SHALL REVIEW THE CLINICAL RANKS ISSUES, AND THE UFC FACULTY AFFAIRS COMMITTEE SHALL RECOMMEND AMENDMENTS TO THE *ACADEMIC HANDBOOK'S* STATEMENT ON CLINICAL RANKS FOR ACTION AT THE UFC MEETING IN FEBRUARY 1, 1996.

2. THE UFC FACULTY AFFAIRS COMMITTEE IS REQUESTED TO REVIEW THE EXTENT AND NATURE OF NON-TENURE TRACK APPOINTMENTS AT INDIANA UNIVERSITY. THE ADMINISTRATION IS URGED TO COOPERATE IN FACILITATING A COMPREHENSIVE SURVEY OF SUCH APPOINTEES. THE FACULTY AFFAIRS COMMITTEE IS URGED TO REPORT THE RESULTS OF THEIR DELIBERATIONS NOT LATER THAN FEBRUARY 1, 1996.

All in favor say "aye." [All say "aye."] Opposed? [Pause.] Okay. That passes. Any . . . Professor Warfel?

WARFEL: What we've done now is to pass language that says that we will study these important issues and that our committees will report back to us not later than February 1, 1996 regarding amendments to the *Academic Handbook* and bigger issues in general. With that understood, I would like to reintroduce the language in Circular U13-95 that is recommended as an amendment to the language in the *Academic Handbook*. I would urge the Council to consider doing that, because I predict that after our committees study the issues they will be coming back to us a year from now with substantially similar language. If, on the other hand, they come up with something slightly different, we can make further amendments at that time. But to ignore the tremendous improvement for our faculty in the clinical ranks that is accomplished by this language [in Circular U13-95] at this time and not to adopt it even in a temporary way would be, I think, a tremendous disservice to them.

BRAND: Okay, let's see if I understand this motion. You ask that [the latter half of Circular U13-95] be accepted as the new language for the *Academic Handbook*.

WARFEL: Right. Which, of course, could be amended further next year.

BRAND: Is there a second for that motion?

SPECHLER: Seconded.

BRAND: Alright. Now, discussion. Professor Lohmann?

SCHERER: I'm not clear exactly what portion of the language we are talking about?

BRAND: Where it says "Clinical Ranks" on Circular U13-95 . . . do you see that?

SCHERER: Yes.

BRAND: Everything below that.

SCHERER: But what portion of what . . . ?

BRAND: All of it. What the Circular does is offer changes to the current *Faculty Handbook*, and these are the changes. You see the non-bold print? Okay. Professor Lohmann?

LOHMANN: If I understand that correctly and this motion is to adopt this language, I think what we are going to end up with is editing it right here and right now, before we can pass it, because part of that language includes "51%". Is that correct?

WARFEL: Feel free to amend that one part of it.

LOHMANN: Well, it seems to me that this is going to end in a morass of editing at this point in a large group, and I would speak against that motion simply on the basis of that not being a feasible way of doing it, but to defer that language to the process that we just voted in previously.

BRAND: You are speaking against the motion.

IU University Faculty Council: 4/11/95

LOHMANN: Yes.

BRAND: Professor Scott?

SCOTT: I speak against it for the same reason. I'm very concerned, Kathy, with the more illustrations that you give us about our colleagues there and the problem they are experiencing. But I think to make a temporary move to change basic *Handbook* language, as hard as it is to get changed now or later, is a problem. I support Lloyd Orr's notion that I'd rather have that as an outcome of this process rather than a precondition.

BRAND: Professor Turner?

TURNER: I think that the motion we just passed guarantees that this is going to have the long, deliberate, and information-rich consideration that ought to proceed changes in the *Handbook*. In the meantime, there is a large group of faculty members at IU who have no protection, and voting for this can give them a good bit of protection. So that I think that what essentially we are doing by refusing this or voting against it is to deny these people access to protection that we want to get for the faculty and that most professional organizations are crying that extend to these kinds of faculty.

SCHERER: I could accept this proposal if it would eliminate the sentence "The maximum number of full-time salaried clinical appointees . . . of every appropriate academic unit on each campus," [i.e., the sentence providing "at least 51%" of full-time faculty be tenured,] and adopt the rest of it. Because I do believe the rest of it is an improvement over the current language. But I think that sentence is just getting us back to the same thing we discussed for the whole last hour and turned down.

BRAND: Professor Scherer, would you like to make that as a . . . ?

SCHERER: I would request that that be accepted as a friendly amendment, because it is the only basis on which I think it has any hope of getting a majority.

BRAND: Professor Warfel?

WARFEL: Could you clarify which sentence?

SCHERER: It is the one including the change in the statistics from 15% to 51%.

WARFEL: Yes.

BRAND: Okay, it is accepted that . . .

SCOTT: I want to understand the present amendment. Does that mean there is now no cap?

BRAND: Excuse me. Who seconded Kathy's motion? Professor Spechler, do you accept that as a friendly amendment as well.

SPECHLER: I think it is up to Kathy.

BRAND: She said yes, but I need your permission as well.

SCHERER: It's fine.

BRAND: Okay. So now what is on the floor, so that we are clear, please, is that the *Handbook* be changed according to Circular U13-95, with the fourth sentence, which refers to the 51% figure, being deleted. Professor Scherer?

SCHERER: I didn't make myself very clear and it's pretty complicated so I think I'm willing to forgive myself, at least, for doing that. But what I intended to mean was that that sentence should remain as it basically was in the original document, rather than the whole thing be dropped. In other words, there would really be no change in that sentence from the original, so it would keep in the limit of 15% as was originally there, because I think that is the

sentence that is controversial and needs further study. Whereas the rest of the statement I can accept, I think.

BRAND: I think the interpretation was that the whole sentence was deleted. You want to keep the original language?

SCHERER: What I really wanted to do was to keep the original language on that sentence.

BRAND: Professor Warfel, do you accept that as a friendly amendment?

WARFEL: Yes.

BRAND: Professor Spechler?

SPECHLER: Yes.

BRAND: Okay. Let's be clear now what we've got on the table. It is the new *Handbook* language, except the fourth sentence does not have the changes suggested here, but reverts back to the original wording, namely "15%". Professor Bepko?

BEPKO: I think the result will be, if I understand it correctly, that the medical school came to us and said they would like relief from the 15% cap and our answer is that we've wrestled with that and said no, but that we do have some other ideas we'd like to impose on you, namely that the clinical faculty would have to be restricted in certain ways so that they can't hold certain kinds of administrative appointments and they'll have to be given contracts that are provided for by the last part of this proposal.

BRAND: I think that is where you wind up.

WARFEL: Yes, and I think that is not a bad thing. I think that if we first clarify what the clinical ranks are and what we expect of them and we still need to raise the cap, we can raise the cap, once we know where we are.

BRAND: I'm a little . . . can I ask a question from the chair? [Laughter.] You're already beyond the 15%, so why didn't you like the idea of just deleting that sentence and then putting that back later, rather than tying your hands now?

LOHMANN: That's the morass I was talking about. [Laughter.]

BRAND: Yes. I think that's maybe why I'm confused. Okay, wait, I've got a speakers list.

WARFEL: Well, because this sentence has the faculty determining it. If the cap goes above 15%, the *faculty* is going to make that decision.

BRAND: Okay.

BEPKO: Can we get a clarification of how this will read, then? Is the phrase "The maximum number . . . [etc.]" included in the new language, or is it . . .

BRAND: Let me read it to you. It reads, "Full-time salaried clinical appointees including physicians, dentists, nurses, optometrists, audiologists, and speech pathologists primarily providing patient related services [shall represent] no more than 15% of the total full-time faculty of each school."

BEPKO: Period?

BRAND: Yes.

BEPKO: What's the beginning of the sentence?

BRAND: "Full-time salaried clinical appointees" Shall I read that to you again? No. Okay, I've got

IU University Faculty Council: 4/11/95

Professors Jackson and Peters on my speaking list.

JACKSON: As I understand the statement right now, we are considering a situation in which the cap remains at 15% with additional protections extending to people in the clinical ranks.

BRAND: That's my understanding, yes. Professor Peters?

PETERS: I'll pass.

BRAND: Professor Eisenberg?

EISENBERG: While I am certainly sympathetic to the idea that certain protections should be extended to persons occupying clinical ranks, and that that should be done sooner rather than later. However, I am very nervous, as Myrtle Scott, for one, is, and I'm sure many of us are, in fact, about attempts to come up quickly this afternoon in the relatively few minutes remaining to us with language that in fact is to go into the *Handbook*. It seems to me that such language should be crafted carefully, and we simply don't have enough time to do it, even if we thought that we as a group should take on that task as a very large committee. Finally, if we commit ourselves to a positive vote on the present motion and are committing ourselves to the view that clinical appointees are not eligible for tenure, I had thought that that was one of the very questions that we wanted to examine, and I really don't wish to vote positively on that matter before others of us have a chance to consider that question at some length.

BRAND: Here is a point of clarification. If it is true that the medical school is already beyond this and you pass this, then the medical school is faced with a choice of either disobeying something you've just passed or firing people. Is that the intent here? I mean, those are the only two choices left.

SEVERAL VOICES: No, no.

BRAND: Explain it to me, then.

SCOTT: I think this motion, deals not just with the percentage, as Paul has pointed out, but it deals with the nature of faculty work for these people (they may do teaching and/or research and/or service), with their initial appointment (they may have a seven-year probationary appointment, etc.), with their review, and with their contract. And to do that here on the spur of the moment [would go against what] I think we have already voted, [namely,] that the majority of this body would not think it is appropriate for today's action.

BRAND: Yes. That's right. It does take all that into account. But I am suggesting, if you pass this, is it not the case that all those protections are built in, but *also* the medical school is faced with a choice of either disobeying something you just passed, because they are already over it, or releasing clinical faculty members?

SCOTT: One thing that we've said is that the legislative history is that Gerry's notion of "don't ask, don't tell" be extended by tacit agreement with this body until we can come in with a full-blown proposal.

BRAND: So you are speaking against it?

SCOTT: Yes.

BRAND: Okay. Some people haven't spoken yet. Professor Hollander?

HOLLANDER: The third option, other than [disobeying the rule or] firing people, is to classify people properly who are misclassified now as clinical faculty. That might bring them below the cap.

BRAND: That's true. That is a third option. You are quite right. Professor Maxwell?

MAXWELL: I move we table this discussion until the February meeting after the two reports have been received.

ANONYMOUS: Seconded.

BRAND: Okay. That's not debatable. There is a motion to table the motion. All in favor please say "aye." [Many "ayes."] Opposed? [Some "nos" and some "ayes."] I think the first "ayes" have it. [Laughter.] It is tabled. So, where you wound up right now, just to remind you . . .

SPECHLER: A motion to table requires a two-thirds vote. Is the chair finding it to be two-thirds?

BRAND: I thought I did, but if you want a hand count, I'm happy to do that. Would you like a hand count, Professor?

SPECHLER: If you will.

BRAND: Absolutely. All those who favor tabling, please raise your hand. Okay. Opposed? It does not have a two-thirds majority.

GREENEBAUM: Actually, according to *Robert's*, it only takes a majority.

BRAND: Okay. The parliamentarian says it takes a majority. It does have a majority and is now tabled. Okay, what you have done is to accept the substitute motion as revised [omitting item #1, renumbering items #2 and #3 as #1 and #2, and changing the date in item #1]. In addition, you have not accepted any new language for the *Handbook* about either the nature of clinical ranks or what the maximum number is, other than what is already on the books, i.e. 15%.

WARFEL: Could you clarify whether the last motion [to table] passed, forbids us from talking about it until February 1?

BRAND: You mean can it come up earlier? No, it could be taken off the table, I think. I mean, it was just tabled; there wasn't a date on it, was there?

MAXWELL: My motion was to table until the February meeting -- until after we have the two reports.

BRAND: Okay, so we would have to come back and move that you take it off the table. Is that right? Okay. So you would have to first move to take that off the table at the next discussion?

BEPKO: I take it there is sense here that the current "don't ask, don't tell" principle can continue to be observed. Am I correct in assuming that?

EISENBERG: We can't answer that question, Gerry. [Laughter.]

BRAND: I think the sense of the meeting is that we are in the middle of the discussion rather than the end, and that no one is prepared to take final action at this point. So, you are in the middle of a discussion which may well extend until February.

AGENDA ITEM #7: REPORT FROM UNIVERSITY STRUCTURE COMMITTEE

BRAND: Moving on to the next issue, I now have a report from the University Structure Committee. Professor Greenebaum?

GREENEBAUM: I will be most brief, principally referring you to a document which is in front of you which is a report of the University Structure Committee. As our last period of time together demonstrates, issues of university structure and the relationships of the various elements of the university and the authority among them is a matter of greatest importance. We need to work on standards and procedures for determining these issues that will, in a proper

IU University Faculty Council: 4/11/95

way, account for the interests of constituencies. The University Structures Committee intends to work on this, and we will need lots of help. It is a constitutional sort of issue, and we really want you to give this attention and we will be communicating with you further, asking councils, deans, students, and all kinds of constituencies to deal with it.

BRAND: May I ask a question about that?

GREENEBAUM: Sure.

BRAND: I would think just a brief reading of this indicates there may be some items in here for which the Trustees may believe they have authority, so I would suggest that the University Structures Committee consult with the Trustees on this issue.

GREENEBAUM: Absolutely.

BRAND: Other questions about this report? Okay.

AGENDA ITEM #8: PROPOSAL REGARDING ELECTION OF UFC REPRESENTATIVES TO TRUSTEE EXECUTIVE SESSIONS

BRAND: Okay, the last item: election of UFC representatives to Trustee Executive sessions.

EISENBERG: This, in fact, although it is last on the agenda, is itself an important matter. I do hope that we have time to deal with it in the remaining few minutes. The relative history takes us back at least one year to the time during the past academic year when this body approved a motion to have those who were then serving as the co-secretaries try to work with members of the legislature to bring about a situation in which there would be a permanent slot on the Board of Trustees for some regular faculty member of the university. Such efforts have gone forward in the course of this year, but, as I believe I have previously announced, they have not met (and are not expected to meet) this year with any particular measure of success.

Meanwhile, a task force was appointed by the Agenda Committee to work with a couple of people from the Board of Trustees and President Brand in framing some other policy that would be mutually acceptable to those involved, that is, to faculty governance and to the Board of Trustees on the other. The full version of the UFC proposal, arrived at in early April, is what appears before you in Circular U12-95. That proposal was informally accepted by the Board of Trustees with the result, in fact, that I, as senior co-secretary this year, was asked to participate in the discussion of the Executive Session of the Board during its last meeting. And in fact I did do that. The point of the proposal that you now have before you is, in effect, to regularize the arrangement to which we now have an informal consent and to describe in detail the way in which the UFC would have representation now and hereafter at the Executive Sessions of the Trustees when, at those sessions, issues that concern the faculty are to come up.

BRAND: Okay. That's the report from the committee. It needs no second. Any discussion?

LOHMANN: I just have one question about it. These terms "junior" and "senior" co-secretary -- is this by date of birth [laughter], or how long you've been in office?

EISENBERG: The appointments are staggered . . .

LOHMANN: I see.

EISENBERG: . . . and if the language is unfortunately confusing, what is meant is . . .

LOHMANN: They are always staggered.

EISENBERG: Right.

GREENEBAUM: There is a technical problem with it, I think. That is that, in fact, co-secretaries are elected for one-year terms each year under our constitution. It is our custom for the co-secretaries to come from the Bloomington and Indianapolis faculty and to serve staggered terms and which we've implemented. So I assume "senior" means in length of service.

BRAND: Do I hear that question?

ANONYMOUS: Question.

BRAND: Thank you. All in favor, please say "aye." [All say "aye."] Opposed? [Pause.] Thank you all.

Adjournment: 4:30 p.m.