

**Minutes of the  
UNIVERSITY FACULTY COUNCIL MEETING  
February 8, 2005  
University Place Conference Center, Room 138  
Indianapolis Campus  
1:30 - 4:30 P.M.**

**Members Present:** James Baldwin, Charles Bantz, Chris Bjornson, Jacqueline Blackwell, Gary Blumenshine, George Bodmer, Chris Borkowski, Polly Boruff-Jones, David Daleke, Luis Davila, Andre De Tienne, Paul Eisenberg, Mary Fisher, Ken Gros Luis, Cathy Ludlum Foos, Janice Froehlich, Karen Gable, Laura Ginger, Joanna Goldstein, Adam Herbert, Dolores Hoyt, Elizabeth Johnson, Marilyn Kintzele, Ted Miller, Keith Moore, Richard Nash, Bart Ng, James Patterson, Markus Pomper, Amy Reynolds, John Ross, Martin Spechler, Herbert Terry, James Tolhuizen, David Vollrath, Jeffrey Watt, William Wheeler, Enid Zwirn

**Members Absent with Alternatives:** Al Ruesink for Bonnie Brownlee

**Members Absent:** Donald Andrews, Bruce Bergland, Aurora Chase, Jennifer Delaney, Brian Fife, David Fulton, Michael Hamburger, Thomas Hurley, Robert Kravchuk, Chris Maher, John Manzer, Dale McFadden, Michael McRobbie, Jaime Nieto Jimenez, Sandra Patterson-Randles, Ruth Person, Una Mae Reck, Kristina Reuille, Alex Shortle, Richard Viken, Michael Wartell, Nanci Yokom

**Guests:** Anna McDaniel (Co-Chair DEC), Hasan Akay (IUPUI Technology Committee Chair), Sherry Queener (IUPUI Graduate Office), John Slattery (Dean of Graduate School), Judith Wertheim (Interim Dean of Continuing Studies), Mary Popp (Co-Chair SAC), Robert Yost (Co-Chair SAC)

**Agenda**

1. Presiding Officer's Business (10 minutes)  
(President Adam Herbert)
2. Agenda Committee Business (10 minutes)  
(Professors David Daleke and Bart Ng)
3. Question/Comment Period\* (10 minutes)  
(President Herbert and Professors Daleke and Ng)
4. Report of the Task Force on Graduate Studies (Action Item)  
(UFC Agenda Committee)
5. Discussion of Report of the Task Force on the School of Continuing Studies (Action Item)  
(Professor Anna McDaniel, Co-Chair, Distributed Education Committee)  
<http://www.indiana.edu/~ufc/docs/AY05/Circulars/U7b-2005.htm>
6. Code of Student Rights, Responsibilities, and Conduct (First Reading)

(Mary Popp and Robert Yost, Co-Chairs, Student Affairs Committee)  
<http://www.indiana.edu/~ufc/docs/AY05/Circulars/Code.htm>

7. Academic Appointee Criminal Background Check Policy (First Reading)  
(Professor Ted Miller, Co-Chair, Faculty Affairs Committee)  
<http://www.indiana.edu/~ufc/docs/backgroundcheck.htm>

8. Faculty Composition Report  
(Professor Ted Miller, Co-Chair, Faculty Affairs Committee)  
<http://www.indiana.edu/~ufc/docs/AY05/Circulars/FacComp.htm>

9. Chancellors Review Procedures (Second Reading)  
(Professors David Daleke and Bart Ng, Co-Secretaries, University Faculty Council)  
<http://www.indiana.edu/~ufc/docs/AY05/Circulars/U5-2005.htm>

10 Standing Committee Reports

11. Old Business

12 New Business

13. Honorary Degrees (Executive Session)

### **AGENDA ITEM #1: PRESIDING OFFICER'S BUSINESS**

**HERBERT:** Can we please come to order? We have a very full agenda this afternoon, a lot to cover and I may have to leave a couple of minutes early. I've got to go and walk about 700 feet to the Hoosiers for Higher Education visit in the capital. So let's just go ahead and get started. We don't, the agenda says Presiding Officer's Business, I don't know what that means so we'll forget that, the term. Is that an opportunity for me to say something? Is that what that is? Oh well then maybe I will just say a couple of things.

First, let me report to you that I have received some news that did not make me real happy a few weeks ago. That is that Bill Stephan is going to be stepping down as Vice President for University Relations & Corporate Partnerships. He's gonna be going over to Clarion in a role similar to that. This is a major loss for us. I'm going through the process now of looking through that organization, that portfolio, we have not completed that process yet but I will report to you on that at our next meeting. But this is a real challenge for us because there are very few people that have the sets of skills that he does in both of those areas.

Let me also just report to you that we're now in the implementation stage of the Intellectual Capital Grant. You may recall the Lilly endowment gave us \$26 million. And what we did was we focused those dollars on three areas: one is scholarship, an endowed scholarship program for undergraduates to address the brain drain which I'm very concerned about, second is to support our Life Sciences Initiative, and third is to continue the process of enhancing our core strengths in the Arts and Humanities. We are now in the process of preparing all of the materials to

announce the beginning of the Hoosier Presidential Scholar's Program. I anticipate somewhere between 35-50 scholarships. Those will be, those scholarship opportunities, will be available to students on all of our campuses, and there will be a match-component that is part of it. And one of the good dimensions we think that will help to make it attractive is that we're also going to provide a computer as well as an opportunity for international travel as part of the program. We're done soliciting nominations from the campuses and we intend to allocate the first round of awards hopefully by early March. Again I think this is a central part of our effort to keep some of the best and the brightest in the state on our campuses.

With regard to the Life Sciences professorships, I've released a process statement in terms of how this will be handled. The bottom line is what we're trying to do is to recruit six world class neuroscientists; three in Bloomington and three in the Medical School. And again, we've laid out the process and both Deans Brater and Subbaswamy have been authorized to proceed to develop their recruiting efforts for these projects. What the Lilly endowment has basically given us the money to do is to provide packages for what we hope will be world class neuroscientists that would make their coming to Indiana University more attractive. I've given the deans the flexibility with regard to the size of those packages as well as, you know, that if they want to increase the number from 3 to a higher number, that they can do that, but they must have at least three in both locations.

Finally, I'm very excited about the New Frontiers in the Arts and Humanities even though we have had a program in this area. When I talked with the Endowment, I told them that from my vantage point this was one of the most important things that we can do because it clearly reinforces the reality that the heart of this university is with the Arts and Humanities. This is a five-year program and an RFP was released last week inviting faculty members to apply for the grants. Those of you who have not seen it, it's \$20,000 to \$50,000 for each one and will also provide an opportunity to support workshops, symposia, business scholars, artists and finally international and international travel fellowships. We've tried to broaden the range of items or activities that were included in the previous five-year program, and we're trying to listen to a number of ideas or lessons learned from the previous project. I think each year I will submit a report to the Endowment explaining some of the significant things that have been accomplished from a faculty perspective in the initiative.

I think the last thing I will share with you is that the committee that is conducting the search for the Senior Vice President for Academic Affairs and the Bloomington Chancellor is now going into the next phase of its work. They're, I'll ask David if he'll share that with you since he is on the committee. But I should once again publicize that I appreciate the fact that Ken is flexible and is willing to remain in this role until we've got the right person which I think is absolutely essential, both for the Bloomington campus and the university. So Ken, thank you for your willingness to serve until we get the right person.

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

**HERBERT:** David?

**DALEKE:** Thank you. First before I continue I want to thank everyone for participating in our last video conference meeting two weeks ago. I've heard comments from a number of people and all of them were uniformly positive. I think it worked well, we didn't have any glitches, it seems like everyone felt as if we were communicating well and everyone could participate easily. I think the success of that test, that experiment means that we could probably do more of that in the future. And I was frankly quite amazed that a group this large could have a conference like that with eight different sites simultaneously and not a lot of confusion. So I really appreciate everybody's patience. I think everyone followed our video conferencing etiquette to a "T" which is important to make sure those meetings go smoothly and I hope to see more of that in the future. But it is nice to see you face to face here. For those of you who had to travel a long distance, again, we appreciate that.

I'll make a comment following up on what President Herbert mentioned in terms of the search committee for the Vice President for Academic Affairs and the Bloomington Chancellor. The committee is just getting started and is interviewing search firms presently, but is forging ahead at a relatively quick time schedule. I will give reports back in this venue as the Chair allows me to as we move along, so we'll keep you apprised of the progress.

I also would like to report that, remember from last week, that I was convinced to serve on the nominations committee of the Indiana Commission for Higher Education. They have one faculty position to fill; Mary Fisher served on it the last time, two years ago when the current faculty member was selected. We had a very nice phone conference today and set a schedule for the nominations process. This committee will accept nominations and then review them and give a list of 5 recommendations to the governor and the governor will then select the faculty representative. All of the information will go out on February 21. So the Commission is providing all of the representatives of the nominations committee information to send out. I am planning to send it out by email to all of the faculty on all of our campuses at the same time and it will include the information about how to file an application and all of the details. However, between now and then, when the nominations come out, you can nominate people as well as self-nominations. You may want to think about colleagues or other individuals you know maybe from other campuses who might be good representatives on the Commission for the faculty and you might want to start conversations with them and twist their arms a little bit and get them thinking about the position. It doesn't involve a tremendous amount of time and it's an extremely important position.

But today of course the Hoosiers for Higher Education is having a Statehouse visit and in light of that we will attempt to end the meeting early. So I'll have some comments about the agenda in just one minute, we're going to eliminate one agenda item in an attempt to make sure that we can end significantly early enough that people can move from here over to the venue for the reception which occurs at about 4:30pm I believe and that will precede President Herbert's remarks sometime shortly after 5:00pm. For those of you who wish to attend the transport from here to there, we have arranged for—Molly and Kelly, have arranged to have buses to pick people up at the half circle in front of the hotel and take you to the site. One note for all of the Bloomington people who are here, we came in a number of different cars. We need to huddle after the meeting to decide whether we need to shuffle cars and get people back on time.

I have another comment about the New Frontiers Initiative that the President just mentioned also and that is that there was a—we're not quite sure if that email message which went out on February 1<sup>st</sup> got to all the faculty across all the campuses. So, if you don't recall getting it, please let me know and we'll make sure that you get that email message from the Vice President for Research's Office that describes the New Frontiers Initiative. We want to make sure that everyone has that information.

So I'll make a brief comment about today's agenda. The Task Force reports will come up for a final vote today. They are action items. We will have a first reading of two policies that are coming before us; the revision of the student code and the academic employee criminal background check policy. A word about the notation first reading: we list that as the first reading of potentially several, it's not the first reading, it's not the first reading that would need to precede an action at the next meeting. So keep in mind that we have at least this meeting and two others for this semester, it doesn't mean that we're necessarily going to bring these items up for vote at the next meeting. So, this is just our first reading. There could be a few but hopefully not many.

The Faculty Composition Report is in your package, it's rather extensive and Ted Miller will guide us through all of those numbers, but I'm sure that it will take some time to digest it but at least this will be a good point for some of the discussion and will answer some questions about it.

Item number nine we are going to postpone to the next meeting in order to give us some additional time. As you see it's listed as a second reading and it will probably be best for us to wait until next time. Bart and I feel that we need to go through one more iteration and Dave Fulton has been the chancellor who's been engaged in those discussions with us and so we will speak with him and hopefully have all of the differences ironed out by the next meeting. And that one we're hoping to make an action item at the March meeting.

That's all I have from the Agenda Committee.

### **AGENDA ITEM #3: QUESTION/COMMENT PERIOD**

**HERBERT:** By the way the microphones out here are intended to assure that we can get a recording of everything that's said. So if you can't hear something, please understand that it's not necessarily intended for us to be able to hear ourselves. So speak up.

We're now at the part of our question and comment period. Are there any questions or comments?

**DAVILA:** Point of information, Hoosiers for Higher Education, who are they? Forgive me.

**HERBERT:** Those are alumni and friends of the university. What we try to do is to organize in such a fashion that we have captains in almost every county and what we try to do—in fact is we're enhancing that we have a full time director now and the basic idea is that if you're going to affect people in the legislature, you've got to reach members at the grass roots level with their

constituents, as opposed to just listening to us talk to them here in the capital. So we have this extensive network. There are a quarter of a million alumni, almost a quarter of a million IU alumni around the state. So this is an effort to get as many of them as organized as possible, supporting the university as we try to make our case for additional resources or support or opposition to some legislation that may appear before them.

**DALEKE:** I should have mentioned also that at the Agenda Committee meeting earlier today that the Agenda Committee met with Vice President Tom Healy, to talk about how the faculty could become involved in some of the efforts of his office in influence in legislation. And this was the beginning of what we hope will be a continuing conversation with the University Faculty Council, more specifically with our External Relations Committee which seems to be the most appropriate committee to deal with those types of issues. But he expressed the acknowledgement that there is a significant amount of faculty expertise that could be used strategically in some of their efforts and we're hoping to get more faculty involved in some of these issues at the Statehouse.

**HERBERT:** I would just note in that regard that I have had an opportunity to talk with the leadership in both houses, both with the majority and minority, relative to the depth of intellectual capital that we have and there is interest in utilizing that knowledge base and analyzing a lottery of policy questions, getting information about the economy and things of that nature. So, what we're trying to do is to structure a more formal process where as they ask for information we're able to put the members in contact with the appropriate faculty members on campus. In fact I had one today that asked specifically for some information on an ongoing basis. This is one of those areas where we're trying to develop stronger relationships that ultimately will help assure more responsible public policy and also will enhance relationships that we think are vitally important to our future.

**DALEKE:** Any other questions?

**BLUMENSHINE:** Just a point of information, since this is my first year on this committee. Is this committee, does this Council have minutes of its meetings? Do they present those minutes publicly, is there some way to preserve what goes on here in any way?

**DALEKE:** Yes we do have minutes. Since we had met just two weeks ago, the minutes weren't prepared in time for this meeting. However, all of our previous minutes are available on the UFC website at [www.indiana.edu/~ufc](http://www.indiana.edu/~ufc). So all the minutes for, I'm not sure how many, maybe five years ago are posted on the website.

**BLUMENSHINE:** You don't bring them in here?

**DALEKE:** We do normally, however, because our last meeting was only two weeks ago we didn't bring them to this meeting. For example at the March meeting these minutes will be available at that meeting.

**HERBERT:** I will ask that Council members to approve those.

**KISH:** Gary, we don't print them though.

**BLUMENSHINE:** You don't?

**KISH:** No, not like Fort Wayne.

**DALEKE:** They are all on the website.

**SPECHLER:** Adam I...

**HERBERT:** I felt cheated that you didn't ask a question earlier.

**SPECHLER:** I have a reserve for you, but let me just ask one. I know that you're an expert on organizations and you like clarity in organizations. Have you considered the anomalous situation of the Columbus campus? In reality it's the ninth campus of Indiana University but it's subordinated for some historical reason to IUPUI where its dimensions not very different from our wonderful campus in Richmond. Have you considered that situation?

**HERBERT:** Yes. [Laughter]

**SPECHLER:** Well?

**HERBERT:** Well the short answer is that it does require legislative action to create new campuses. It does not have that status at this point in time and I don't think that it's a good move for us now to come forward and ask for new campuses, particularly when the fiscal situation is as it is. I have had conversations with the President of the Senate about that and it is not a political issue at this point. But there are times when you bring issues to the table and times when you don't and I'm not convinced at this point that it's a good move for us to add, formally, add additional campuses. The politics at this point in time is just not right politically. And also I think what we have got to do is think through the question, realistically of how many campuses should we have and what are the essential characteristics in terms of full-time faculty, in terms of actual enrollments that we should have as criteria for a proper, by being a campus. I'm sorry for the real brief response but it did provide an opportunity to give a brief response.

**PATTERSON:** Along those same lines could you bring us up to date on the status of the Mission Differentiation Project?

**HERBERT:** Yeah, I have a meeting coming up on the 16<sup>th</sup> with Ken Gros Louis and Charlie Nelms at which point they will give me a report with all of the materials from each of the campuses. Ken and I will then go through those and we'll try to do that on an expedited basis so that we can provide feedback to campuses. I continue to have as a goal putting this on the agenda for the Board meeting sometime in the early summer so that ultimately we'll be in a position coming into the next academic year with formally approved plans by the Board of Trustees. That then goes to the Commission for Higher Education. We'll do that during the fall.

**PATTERSON:** Thank you.

**HERBERT:** Certainly. Was there a hand over here?

**AGENDA ITEM #4:  
REPORT OF THE TASK FORCE ON GRADUATE STUDIES**

**HERBERT:** Okay, well our 10 minutes are up so let's go on. Now let me turn to David with regard to these items.

**DALEKE:** The first agenda item, the next agenda item, is the Report of the Task Force on Graduate Studies. This one is not on your—the link was not on the agenda as it normally is for the other items we'll be talking about as you'll notice. However, it's Circular U13-2005 and it's in your blue packet of information. So I ask that you pull that out while I give you a little bit of background.

Almost two years ago, it was a year and a half ago, the President asked, assembled a task force to address questions having to do with the University Graduate School. This is part of the ongoing change in what used to be RUGS; it has now been divided up into Research separate from the Graduate School. We have been discussing—the Task Force deliberated and put together a report with their recommendations and it had actually three separate recommendations. They submitted that to the President and the Senior Vice President for Academic Affairs who then accepted primarily the first recommendation which I believe we talked about at our last meeting, started at the last meeting. That then went to our campus councils and the University Faculty Council and we took a look at those recommendations and at our last meeting we discussed our potential resolution; either endorsing or not, the recommendations that we received.

At that meeting, Michael Hamburger from the Long Range Planning Committee, or the University Planning Committee, had presented the resolution that had been discussed at the Bloomington campus. We do know that the corresponding committee at the IUPUI Faculty Council had similar discussions and was in agreement with both the points of the recommendations from the President and the Senior Vice President for Academic Affairs and the resolution that Michael had presented to us.

There were a couple of concerns primarily having to do with clarity of the resolution and that is making it, distinguishing the role of the Dean of the Graduate School as having purview over Graduate Studies and not over Professional Studies and so the document you have in front of you has tried to make, just make a couple of changes from what we presented to you two weeks ago in order to reflect that.

In addition, the Agenda Committee met earlier today and felt the need for an addition of one clause to make that point even more clear and that is under point number one that begins, "The University retains the Graduate School as a distinct university-wide academic unit to oversee and

coordinate graduate education.” Please add as a friendly amendment after the semi colon the phrase that Kelly is about to read.

**KISH:** “Professional graduate education will continue to be the responsibility of the professional schools.” “Professional graduate education will continue to be the responsibility of the Graduate School”.

**DALEKE:** “Professional schools.”

**KISH:** Oh sorry, “Professional schools.”

**HERBERT:** Should we repeat that one more time?

**KISH:** “Professional graduate education will continue to be the responsibility of the professional schools.”

**DALEKE:** Also recognize that there are two sets of responsibilities that the Dean of the Graduate School will have because the Dean also will have the title of Associate Vice President for Academic Affairs. And at this point though, some of those duties of course are not explicitly outlined and may change in the future. Most of this resolution deals with the first point and that is the Dean of the Graduate Studies position. We can consider this, by the way, as being, this resolution as being moved for approval since it came from the Agenda Committee.

**SPECHLER:** In number four, the resolution speaks of the guidance of an elected body, an elected body of graduate faculty. But suddenly in number six, we have Graduate School Council, capital “G,” capital “S,” capital “C.” The question is are you talking about any other elected body of graduate faculty other than the Graduate School Council, and if so why talk an elected body of graduate faculty?

**DALEKE:** I think they were intending to refer to the same group, that is the...

**SPECHLER:** Well, in that case, it would be simple to say with the “guidance of the Graduate School Council” which is a well established body in this university.

**DALEKE:** I would accept that as a friendly amendment since that was the intent.

**BALDWIN:** I think we should include the phrase though “an elected body”, “an elected body of faculty.” “In the guidance of the Graduate School Council, an elected body of Graduate Faculty.” So it would retain the concept of elected.

**DALEKE:** That was important I think in our prior discussion.

**SPECHLER:** Sure.

**DALEKE:** Herb?

**TERRY:** I'm just wondering in point two under the additional recommendations, why there and only there the Graduate School and its Dean have this responsibility for ensuring graduate and professional student welfare. How could the Graduate School and its Dean intervene in professional student welfare if it imposed upon an area above that's limited only to graduate students?

**DALEKE:** Well, there are for example, considerations of health care issues that deal with, that go beyond the academic programs of the students and this is where the distinction is trying to be made. So the reference to welfare there really meant that issues that went out, that were outside of their professional program or graduate program, academic program.

**HERBERT:** The difference between academic issues and student welfare issues.

**TERRY:** Yeah, okay.

**DALEKE:** There's a number of common issues that graduate students and professional students have in regard to these welfare issues and there's an economy of scale that of course we all recognize and it would also be felt, I think from our discussion and other discussions that I've heard that it's important to have a position that the students could, both professional and graduate students, could refer to having to deal with those issues. Again, like an ombudsmen for redress, for example, having to do with health care, which is one of the most important issues for our graduate and professional students. But again these are outside the purview of their academic programs. Marty?

**SPECHLER:** Well, David I'm glad you mentioned the welfare of the graduate students but we could be a little more effective in that if we added to the duties of this Graduate School to coordinate and consult with the Graduate Student Association, an elected body from all of the schools of Indiana University. My, as it happens my son is a representative on that body. He says that the Graduate School, graduate students feel neglected, they don't feel their a part, that they have a real voice in what's happening in the Graduate School, and so I'd like to suggest that in the same spirit that we add "direct consultation with the elected representatives of the graduate students" in determining these welfare and fringe benefits and other issues.

**DALEKE:** So this would be an item that would go under the second set of --

**SPECHLER:** No, under four, "the responsibilities of the Graduate School include consultation with elected representatives of the graduate students on all relevant matters." And as I have the floor, I have to question what number two below means. I just can't figure it out. "That student association with the academic schools be formally recognized in the commencement ceremonies." Can anyone parse that sentence?

**GROS LOUIS:** Yes I can.

**SPECHLER:** Well what does it mean?

**GROS LOUIS:** What it means is that the graduation ceremonies in Bloomington, the students

receiving a PhD are now called out by the Dean of the Graduate School, what I call the Dean of the Graduate School. The Dean of Arts and Sciences, for reasons of both connectivity, Alumni Association fundraising has requested that those receiving a doctorate from Arts and Sciences be recognized in that I call the Dean of Arts and Sciences up to shake their hands and greet them, and not the Dean of the Graduate School. That's what it means. The same thing for the Dean of the Law School. And the point is that Graduate School is not giving the degree, Arts and Sciences is giving the degree, or the Business School is giving the doctorate or the PhD or whatever it is. As we said it went through many iterations, Marty before it got to this It's so arcane that I'll probably have to leave a letter understanding what it means.

**DALEKE:** Marty was your previous point, was that recommended as an amendment?

**SPECHLER:** If you would, yeah, that under four we say that "the responsibilities of the Graduate School will include consultation with elected representatives of the graduate students."

**GROS LOUIS:** Which I think is the way it is now. But that doesn't mean you shouldn't put it in.

**DALEKE:** I would accept that as a friendly amendment, in fact I thought we had wording similar to that in previous versions we've talked about and I think that would be acceptable. We have Paul and then Herb, Richard and then Cathy.

**EISENBERG:** Given that something relatively special is meant by "welfare," I'm wondering whether it would be useful to be more explicit and say something like "The mission of the Graduate School will include responsibility for graduate and professional student welfare exclusive of academic matters in the case of graduate students" or something, some words like that. Just because welfare—in fact ordinarily this certainly would have to do with academic matters as well as non-academic ones.

**DALEKE:** We could add after welfare "all non-academic matters." I think that would capture the intent.

**GINGER:** I'm remembering what the graduate student said at our meeting in Bloomington, and I'm kind of looking at John because in some instances I understood them to say it could be an academic issue. They need a place to grieve outside their own department or dean or something in some instances, they are at least partly thinking of, you know, there should be a place for them to go outside their own unit and so some of those matters could be academic, so I'm afraid if we say non-academic that wouldn't be what they really were asking for.

**EISENBERG:** This goes against what was said earlier today.

**DALEKE:** Kelly?

**KISH:** Eric Zeemering, who is the moderator of the Graduate and Professional Student Organization, "Please share this letter with UFC members at today's meeting." I'll abbreviate the letter. "At the January UFC meeting, questions were raised regarding the inclusion of professional students in point #1 of that version which states that the university retain the

Graduate School as a distinct university academic unit to oversee and coordinate graduate and professional education and ensure student welfare.” You will recall that was combined in the previous version. “Last month I spoke to you about the GPSO’s support for this language. The Graduate School’s mission to oversee and coordinate education and ensure student welfare must apply equally to professional students as it does to graduate students. The Graduate and Professional Student Organization has worked hard to include professional students in decision making and student governance at IU Bloomington. In navigating the university environment, professional students face many of the same challenges as graduate students. The presence of the University Graduate School, as an office for channeling graduate and professional student concerns, is critical for student welfare at IUB and within the larger university system. Professional students, like graduate students, must have access to a clear line of question and appeal within the university.” And there’s other comments, but I think those are the relevant ones.

**DALEKE:** I think that the argument that what Laura was also pointing out is that the graduate students would, I don’t think they want us to restrict what we define as welfare, that’s my reading.

**EISENBERG:** Then do we want to go the other direction? I was just following up on what was said before, the way it was stated. And that was (inaudible) complaints about academic affairs...At any rate the notion of welfare as we have it here without explanation is so vague that people will wonder what this is supposed to include.

**DALEKE:** We have some further discussion, let’s carry it on. We have Herb and then I still have Richard and Cathy.

**TERRY:** I think my concerns go to the same point, to the intersection of graduate and professional education. Rather than Marty’s approach of amending four, it seems to me that in addition to that or in lieu of it, it would be wise in one in the additional responsibilities to expect that the Graduate School, its Dean, to consult with elected representatives of graduate and professional students. The other question I have though, is what happens under this system to a graduate student who has an academic problem with a professional school? Where does this person go to get a definitive answer to whatever that academic problem is? My point is that many graduate students take course work under certain things in the professional schools. They take them in Medicine, they take them in Law, they take them in Business. And I’m wondering if in trying to create a pure Graduate School responsibility we’re ignoring the reality that these structural activities overlap.

**GROS LOUIS:** If I could respond to that. I think Herb, that the current Student Code, that there are people here who are more expert than I am, has the students go to the Dean of the Faculties or the Vice Chancellor for Academic Affairs on each campus. But one could also go to the Graduate School or to the Dean of Students. It’s analogous to the various routes that a person, say, in a sexual harassment allegation might go to the Dean of Faculties, might go to Affirmative Action, might go to the Dean of Women’s Affairs on those campuses that have this position.

**DALEKE:** John did you have a comment about this?

**SLATTERY:** I was just going to say that we have a particular case with a PhD student from a professional school right now where the first avenue of appeal was through the actual professional school, the individuals who handle the graduate education there. And then it was referred to us for final adjudication. So I don't think we really have a problem in terms of a conflict, and actually I think allowing the student some appeal that the university has to allow the student some appeal beyond their immediate academic unit and this seems to be working.

**DALEKE:** Richard?

**NASH:** Yeah, I wanted to speak just generally to, having been on the Task Force and gone through many of these and other discussions, I'm very pleased with what's finally come forward. I think it's very helpful. I just want to take this opportunity to offer one observation that I want to make sure doesn't get lost. One of the things that was, and I don't think it has any place in this particular motion, one of the things that was eye-opening to me when we spoke to other peer institutions about the Dean of the Graduate School was the state of the budget for graduate schools at comparable institutions relative to the budget for our graduate school. And one of the things that was eye-opening to me was how important it is if we have this position in particular that it be well-funded and well-supported. There's nothing that needs to be stated explicitly here, but I think it needs to be something that we keep in mind as we go forward, that one of the real concerns was in terms of is the administrative apparatus of this providing sufficient value for programs, and the idea of having a Dean of the Graduate School I think carries with the obligation that the position in the school is well-funded.

**DALEKE:** Cathy?

**LUDLUM FOOS:** No thanks.

**SPECHLER:** I do like Herb's approach of mentioning the Graduate student and professional organization explicitly or similar organization on another campus. This gives the students a chance and address. If they have a problem then they have a standing invitation to come to the Graduate School or to the Dean to talk about it. And I don't think we have to specify what the matter has to be, it could be academic, it could be financial, it could be environmental, transportation, whatever. Give them a chance to come to the Graduate Student Council whether they're professional or Graduate School and talk about it. What could be wrong with that?

**DALEKE:** So are you proposing changing your amendment?

**SPECHLER:** Yeah, I like Herb's idea. Let's see if I understand it correctly.

**TERRY:** My proposal was, I don't think I resolved whether we should continue to change four and one under additional recommendations or not, but at least one under additional recommendations might read as it does now, "The mission of the Graduate School Dean includes the responsibility of ensuring graduate and professional student welfare" with an addition, "including consultation with elected representatives of graduate and professional students."

**SPECHLER:** Or a similar organization. I'm not sure that that organization exists on all our campuses.

**TERRY:** I put it in lower case. We do have a Graduate and Professional Student Association on Bloomington campus, but you're right, it may be differently titled and differently structured on other campuses.

**DALEKE:** Would that replace your previous?

**SPECHLER:** Right, right. I'd be happy to.

**DALEKE:** I'll take that as a friendly amendment then.

**TERRY:** It seems to put it under responsibility which is what I think you're trying to get at for student welfare.

**SPECHLER:** But I would put it, you know, be specific about the Graduate School and professional student association which exists, which is our largest group or graduate and professional students, or a similar organization on other campuses.

**DALEKE:** Okay we'll spell that out and put in parentheses GPSO to make that clear and then add similar organizations on other campuses. Any other comments? Hearing none I think we're ready to vote.

**HERBERT:** All those in favor please say "Aye." [AYE] Opposed "No." [none] It's unanimous.

**DALEKE:** Thank you all very much. John, thank you for your comments throughout the process.

**SLATTERY:** Thank you. Let me also say free at last, free at last...[Laughter]

**HERBERT:** I also might just note for the record that this was an area of great concern for me when I came on, when I joined the university family, and I appreciate very much the hard work that all the members of the committee devoted to this, and I'm really very very proud of the outcome. Thank you John, for your willingness to work with the Task Force and reach this conclusion.

**SLATTERY:** If I might make one other comment. I do meet very regularly and frequently and have a very good path of access to the graduate student organizations and in fact in the past academic year they've been at my home in Bloomington twice for some of their planning meetings and last month was attended by Sue Talbot, so they are getting a lot of attention and will continue to.

#### **AGENDA ITEM #5:**

## **DISCUSSION OF REPORT OF THE TASK FORCE ON THE SCHOOL OF CONTINUING STUDIES**

**HERBERT:** Okay, item five.

**DALEKE:** The next one is the recommendations on another task force report that is on the School of Continuing Studies. We discussed this also at our last meeting as a first reading, and today we are here to take action. Anna McDaniel is here to present the resolution which is Circular U7-2005.

**MCDANIEL:** Thank you. The co-chair Joe Farley, he has classes this afternoon so he couldn't join us, but he sends his regrets. Let me give very briefly some background. Two weeks ago when the UFC met we presented what I guess must be characterized as our work in progress because we actually presented a preliminary unified report. The IUPUI report that was had been at the IUPUI Faculty Council in November, and then a Bloomington committee report that had been passed at the BFC in January, and it was all sort of a complicated chronological process such that there was no consensus at that time. [end of Tape 1, side A, some discussion missing]

...single report which you have before you. There are some things that you'll note that were different. As a point of order, I don't have to read all of this, do I?

**DALEKE:** No.

**MCDANIEL:** Good. I would like to make a comment for the record that as noted in the Task Force report which was distributed to the committee, we did want to say that we were impressed with how the School of Continuing Studies had been more or less revitalized, how, under Dean Judy Wertheim's leadership that the economic situation, which was indeed not at its best when the original study came out that the School of Continuing Studies should be disbanded, but that had been reversed, that we had noted a tremendous amount of progress under that, under those very difficult circumstances in the interim between that report and the action of what we're doing here. What you have here in the regular face type is the Task Force recommendation, and in the italicized version the committee's response.

The first recommendation was that the School of Continuing Studies be maintained as a university school and we do concur with this Task Force recommendation and believe that a strong School of Continuing Studies is important to the university's mission. Particularly under that we are hoping that by maintaining this as a university school and strengthening the school and the faculty governance of that school that greater intellectual integration between the School of Continuing Studies and other academic units will be fostered. The second Task Force recommendation: The School of Continuing Studies continue to award the degrees in General Studies at the Associate and Baccalaureate level. And we concurred with one consideration that an infrastructure that will assure quality of the General Studies degree will be put in place. And by this, some examples of what we meant there, was a strong administrative support structure, effective faculty governance that would create mechanisms to establish and implement policies and procedures to ensure quality programs. We also recommend that a permanent dean be appointed as soon as is feasible. And what we meant by that was that we were trying to be

sensitive to the concerns that Vice President Gros Louis had communicated to the Bloomington committee that it might not be advisable, or it might be difficult, to open a search for a permanent dean when other positions at the executive level, meaning the Bloomington Chancellor, the Executive [Senior] Vice President for Academic Affairs is not yet in place. So by making the language somewhat more vague I guess, by saying whenever it is feasible, we thought that was the appropriate recommendation from this body. We further then went on to state some beliefs about what that position would, who that position should go to. Someone who has experience as a full-time faculty member and that we, again, hope that this person once put in place will continue to cultivate relationships between the School and other departments to continue the good work that Judy started with and needs to be completed.

The third recommendation of the Task Force is that the faculty council be enlarged, and we concur. In part we recommend even greater faculty representation than the Task Force recommendation stated. It has a really rather narrow description of what that faculty council might look like, and we are recommending that the council be enlarged and that there be thought to increasing the number of faculty with appointments in the School of Continuing Studies which currently there are very few faculty appointments in the School. And that we also might include appropriate faculty from the regional campuses as well as some types of representation from the Library. The Library is an important resource in the School of Continuing Studies mission and education and we felt that Library representation on that council would be important.

And the last recommendation was, the recommendation of the Task Force was that the University revive a committee called the Distributed Education Coordinating Committee to use it as an advisory council on extended studies. President Herbert and Vice President Gros Louis have previously disagreed with this recommendation and we as a committee also disagreed with that recommendation, believing that an effective faculty governance body could make it unnecessary, or there's no need for an advisory council in the School of Continuing Studies. However, there were strong feelings in our committee, and some of this was also expressed at our meeting two weeks ago, from regional campuses in particular, that there is a great need for greater coordination and integration of this education within the university. The School of Continuing Studies is one school that provides distributed education as do many other academic units as is only fitting and proper, but the integration of all of that is felt by some particularly to be a very critical need that is unmatched. And so we are asking that the university administration appoint a task force to study the current and future resources to fulfill the university's mission to deliver distributed education to the state and beyond, and that we further recommend that this task force be charged not only with funding, but developing explicit short and long-term plans that might ensure robust coordination, integration and implementation of distributed education. There you have it.

**DALEKE:** Thank you very much. Since this has come to you from our DEC committee it is considered moved and seconded and it's on the floor. First Mary and then I'll recognize Bill Wheeler.

**FISHER:** Ok. My question is we are going to be voting on the response --

**DALEKE:** That is correct.

**FISHER:** Not the Task Force recommendations.

**DALEKE:** That is correct.

**MCDANIEL:** We are voting on the italicized response. That's our response. The numbered items were the actual recommendations, point by point from the Task Force itself.

**DALEKE:** Bill?

**WHEELER:** Well I have a similar question. So when you say something has been moved and comes as moved and seconded from a standing committee, it's the italicized part that's moved and seconded?

**MCDANIEL:** Yes.

**WHEELER:** And not the normal part. But then I do not understand the status of suggestions versus recommendations. Because for example, in item #2 it says that the committee "concur," but only there, and then it says "suggests." So what if this Council votes on it, then are we voting to suggest or are we voting that it be done?

**MCDANIEL:** That it be done.

**WHEELER:** You also suggest a permanent dean be appointed as soon as feasible. Are we voting to suggest or are we voting to – I don't quite understand the phrasing. The phrasing is not in the form of a resolution. It's a little ambiguous to me as exactly what we're voting on.

**MCDANIEL:** It's a recommendation. I know it's in our language, the wording, especially on that, it should say "recommended" rather than "suggests."

**DALEKE:** Ok so let's take these. There are two instances I think Bill is referring to. The second one I caught of course that's under item #2. The second italicized paragraph, the word "we also suggest" should be "we also recommend."

**MCDANIEL:** Right.

**DALEKE:** And where was the other instance?

**MCDANIEL:** Well it's the first sentence under that item #2. It's also, "we concur that the School award the degrees as long as" this is how recommendation #2 and recommendation #3 are related. Maybe we should take out the word "concur" and say the committee "recommends the School continue to award the degrees as long," you know, as long as there's a structure. It's very difficult to make them independent when they're interdependent.

**DALEKE:** Let's continue the discussion and maybe we can come up with some wording that will clarify that point. Yes, Marty?

**SPECHLER:** Thank you, Anna for I think a very strong recommendation from you and your committee, and again I'd like to say that I think under Judith Wertheim's leadership the School has done better than it has in the recent past. I think though that there is a lack of clarity about the basic mission of the School of Continuing Studies. And that's indicated by three words which point in different directions. *Continuing* studies, which I guess means for people who have already had quite a bit of their education. *Distance* or *distributed education*, which means education for people not on our campus, right, by correspondence or by private means. And then awarding Associate and Bachelor degrees in General Studies which includes degrees for resident students. Indeed, I have the impression, Judith may correct me, that the number of degrees awarded to resident students has actually been increasing, and a number of courses taken as an alternative to the College of Arts and Sciences or the School of Liberal Arts or other academic, resident academic programs, has been increasing.

Now, I think with Anna's recommendation that's less dangerous than it used to be, but I'm really worried about whether the familiar standards of liberal arts education which includes a concentration are being alighted and weakened. I know that there are some provisions for, in the General Studies for some kind of concentration, but it makes me, it worries me that a degree in General Studies may be, as it is perceived to be, an inferior and easier substitute for a similar degree in the College of Arts and Sciences or Liberal Arts, Sciences, and so forth. That really worries me. And I think the lack of clarity about the mission of the School is something that's missing from an otherwise very strong set of recommendations.

**DALEKE:** Anna, did you want to comment on that?

**MCDANIEL:** Well, although the committee did not discuss this specifically, primarily because it wasn't part of the Task Force report and we were only supposed to respond to the Task Force report, in my own mind I wondered if the School might be named the School of Continuing and General Studies because there is a dual mission. But, that wasn't part of the Task Force report for which we were charged to respond.

**DALEKE:** Judy, I think that there are some questions that Marty had that you might be able to answer.

**WERTHEIM:** Thank you. I just want to take you up on your invitation that I might clarify something. Students who take classes on campus who are earning an Associate of Arts degree in General Studies or a Baccalaureate degree in General Studies, are taking classes in the School of Liberal Arts or the School of Science or the College of Arts and Sciences or the School of Business. They are taking those very same classes that anybody else on the campus is taking. There are also classes offered and developed by the School of Continuing Studies which are independent studies distance courses, and there are students who earn their degrees totally at a distance, there are also students who combine distance courses with classes offered on campus, and there are many units on various campuses that severely limit the number of hours that they permit students to take at a distance in order to earn General Studies degrees. So students

earning a General Studies degree on campus by and large take every single one of those classes on the campus and it's offered by a unit on that campus. I also would like to say that there was a task force to look at changing the name of the School, and while the consensus maybe we should change the name, nobody could agree on what to change it to.

**MCDANIEL:** I know that. But it did make me pause. I think many of you will remember here from my opinion, this is not really distributed education, but I think a university as large and rich in heritage as Indiana University has had a tradition of having some flexibility and degrees of freedom, if you will, for students and citizens of our state. And, I mean that's the whole purpose of a general education degree, a General Studies degree versus a major with a concentration. Students have both options and whatever fills their need for education I would hope that we can provide it and provide it with a degree of rigor and quality that we're all accustomed to in an Indiana University degree.

**SPECHLER:** Well I'm all for flexibility, but many of us are working very hard to provide coherence in a concentration or a major with courses that build on one another and with respect to my friend Anna, I don't think just taking courses is what we mean by the quality of degree that Indiana University is holding out. And I'm really worried, I mean having talked to students about this, that the degree in General Studies is perceived as an easier degree and that really bothers me.

**WATT:** I'd like to support Marty's statement there. I have served on the council for IUPUI as a faculty member years ago. I was bothered with the lack of a mission statement that Marty said, and also the growing development of General Education component on campus. I know that's another, we're working on that, but now that one's been implemented. But I was kind of off of that committee by trying to take the stand that I think that there should be an analytic component to that. Times may have changed. But it's like there's very little mathematics and coming from the Math department and being responsible for interacting as a liaison with all the other schools on campus as the Mathematics coordinator, it really bothered me that you can get by with less math in I think Business or an Elementary Education major would require for that. And I think Marty's coming from the perspective of micro and macro economics, because something we'd expect someone with a general education component to have some math, some economic experience, and basically what I'm getting at is the general education component. I understand we're not talking about taking all classes in one area, but we can't make it so flat and I may be speaking (inaudible) having not been on this Council in the last three or four years. That's been my concern and I think after talking in the hallways about people earning this degree that what sort of rich experience is there for someone? I think that falls back on the mission statement for the School or unit. What does it mean to have this degree and be an effective citizen? I need to see more of that connection.

**DALEKE:** Judy did you want to comment on that?

**WERTHEIM:** I'd like to. I'll be very brief. It is, as the name implies, a General Studies degree. It is, however, a degree that requires that students distribute work in various areas of arts and sciences. It's a degree that requires competency in oral communication, written communication, math and computer science. It's a degree that requires an area of concentration.

It's not a willy-nilly course from here, a course from there. There is an area of concentration that's required. The majority of courses required are in the School of Liberal Arts or the College of Arts and Sciences and the School of Science. And the main difference between this degree and other degrees at the university is that it does not allow students to major, and it provides an opportunity for students who, for one reason or another, would do better not majoring in something. Students are held to the same requirements as any other student in any other classes, and when we do do comparisons of grade point averages, the campus that has the lowest grade point average per semester students taking degrees in General Studies on campus has a GPA for that particular semester that normally is in the area of 2.7, and that's the lowest grade point average. Students typically earn grade point averages that are higher, and they're on everybody else's campus taking classes that everybody else is taking.

**DALEKE:** Herb?

**TERRY:** My comments were on another point; it's okay.

**DALEKE:** Ted?

**MILLER:** Well mine are too.

**TERRY:** I might suggest relevant to the point and see if everybody thinks this is a quick fix. We could recommend that the School, this is on the italicized line, that "SCS develop and implement a concrete plan to evaluate the effectiveness of its teaching efforts and the curriculum." I would require them to produce some kind of study that would explain to all of us what the general thrust and nature of the general studies curriculum is, and at some later point we could take a look at that report and figure out if it meshes with the general efforts to specify general education of Indiana University degrees, or with the task that we're not done with yet here.

**DALEKE:** And that would be, I'm sorry Herb, under one?

**TERRY:** Under two. "Thus we recommend..." About two-thirds of the way down in that paragraph. "Thus we recommend that SCS develop and implement a concrete plan to evaluate the effectiveness." Oh no, strike effectiveness. "To evaluate its teaching efforts and curriculum." So I think that will challenge them to develop a plan focused on teaching and curriculum, and I presume if it's concrete write it down, and then I think we'll have something more concrete to look at.

**DALEKE:** So the recommended method is to strike the words "the effectiveness of" and then add to the end of that sentence, "and curriculum."

**TERRY:** Yes.

**DALEKE:** Anna? Do you want to comment on that? Would you accept that as a friendly amendment?

**MCDANIEL:** Absolutely.

**DALEKE:** Ted?

**MILLER:** The Task Force has some thoughts about the reporting line for the dean of the school, and your committee, if I understand this correctly your committee doesn't volunteer its views on that subject. Did you discuss that? Do you have any feelings about where the dean should report?

**MCDANIEL:** We responded to the major recommendations of the Task Force and that was in the report. Historically, this is how the reporting structure was. We didn't discuss it, but we did discuss it at the UFC meeting two weeks ago, I felt like there was no consensus that was somewhat discussed here as well. So there was not much to recommend.

**MILLER:** Well I take it by our previous action here today that the Dean of the Graduate School will report to the Vice President for Academic Affairs. Do we currently, Ken, have any other deans that report to the Vice President for Academic Affairs?

**GROS LOUIS:** Yes, Informatics.

**MILLER:** Is that right?

**GROS LOUIS:** Because it operates now on two campuses, and as you know as part of the budget request in General Assembly, it has requested funding to expand the Baccalaureate degrees in Informatics to all the other campuses.

**MILLER:** So that's a different structure than the other multi-campus schools.

**GROS LOUIS:** Relatively new school, SPEA functions on five campuses, but the it doesn't function on all, and Informatics, if it gets funding, when it gets funding, will function on all as well.

**MILLER:** So in SPEA, when SPEA expands to all the eight campuses then they will be able to report the Vice President.

**GROS LOUIS:** It's a possibility.

**MILLER:** There's a goal to work toward [Laughter].

**DALEKE:** Jim?

**BALDWIN:** Where does the Continuing Studies School report now? To the Bloomington Chancellor?

**GROS LOUIS:** No, to the Vice President for Academic Affairs.

**BALDWIN:** So this is another school?

**GROS LOUIS:** Pardon?

**BALDWIN:** So there are three schools? Continuing Studies, Graduate School, and Informatics?

**GROS LOUIS:** Right.

**DALEKE:** Herb?

**TERRY:** I do have a short question, I hope, and then a more serious concern, a more important concern. I'm wondering in the second paragraph under 2, why the phrase "Dean's background should include significant experience as a regular full-time faculty member" is worded precisely that way. There have been some suggestions in the course of this discussion that the current dean would be an appropriate candidate for the permanent position, and yet it's my understanding that she doesn't hold a regular full-time faculty position. That language in there would seem to disadvantage the incumbent which I'd rather not do. So I wonder if you could explain why it doesn't read, for example, "Significant experience as a faculty member."

**MCDANIEL:** I don't believe it was the intention of the committee to disadvantage...

**TERRY:** Would you accept it as a friendly amendment then dropping "regular, full-time"?

**MCDANIEL:** I would believe that's fine. We may (inaudible) for quite some time there hasn't been a regular full-time position for awhile.

**TERRY:** And then my more – Is that acceptable?

**MCDANIEL:** That's acceptable to me.

**TERRY:** Than my more substantive comment, I guess, because I did figure it was not intended as disadvantaging, goes to the comments under point four. I would like to see a very strong widely ranging task force to look at distributed education. And I don't believe it is just a matter of the task force that needs to look at resources. I think there are a lot of things involved in why we do or do not offer quality distributed education that go beyond resources. They go to policies that we have, they go to the practices we're implementing for the policies, and they go to various structures that we have. And if we're going to get anywhere on improving this, I think that line should read something like, "Study current and future resources, policies, practices and structures to fulfill the University's mission." That gives this task force the ability, I think, to look into everything that might come up that they might recommend besides getting more resources which seems like a kind of a natural answer to do better.

**MCDANIEL:** And it would certainly allow them to fulfill what we have listed here as the second task, which would to be charged with developing a strategic plan, if you will.

**TERRY:** Right.

**MCDANIEL:** If it's appropriate to say that that's a friendly amendment. I would concur.

**DALEKE:** So the addition of the words "policies, practices and structures" after the word "resources," between the word "resources" and "to fulfill the University."

**TERRY:** Exactly.

**BANTZ:** At the risk of asking a question following up on Professor Terry about distance education which I'm obviously involved in, and having expended several hundred hours in my career on distance education, distributed education, technology distributed education task forces, I have to ask the question, has this been done before? What would this add to whatever's been done before? Because in my experience when we do some of these they do not appear to be making an impact on what occurs? And if you will touch my bias which is the distributed model of developing programs when people have financial stakes—the Kelley School of Business Direct MBA usually produces programs that actually do anything. And I say that having watched more failures than successes, and in fact I think the last five years have shown that coordinated attempts, Columbia University being one of the more spectacular recent ones, have had such gross losses that I have way more skepticism than I did when I got appointed to these committees about a decade ago. I'm not criticizing anything here because I don't know the history, and I'm looking at Ken who obviously does and some of you in this room, but I guess I would ask before we send off a group of good people to invest a lot of time on a very hard topic, I'd be interested in a case for doing that.

**GROS LOUIS:** Yes, just to respond to Charles' point. When, as indicated I think at the last meeting, when President Brand had asked Blaise Cronin to chair the task force to look at the goal for distributed education in the University, and that led to the appointment of the Associate Vice President for Distributed Education, Irv Boschmann from IUPUI. He served in that role reporting to both Michael McRobbie and to me as VP for Academic Affairs for three years. And I think my suggestion would be if a task force is formed, a group is formed, the first thing you should do is to explore with Irv and others who worked with Irv why he had such difficulties. Because I think that the last time he ran into a lot of, not, opposition's too strong a word, but just the schools wanted to do their own thing, the campuses wanted to do their own thing, as Charles is suggesting. And he just couldn't do what he wanted to do. I think that's no fault of his.

**DALEKE:** Anna did you want to comment further on that?

**MCDANIEL:** There have been multiple studies. A study by Blaise Cronin and Irv Boschmann was put into a very elegant report of the strategic plan for distributed education, and an office was created I believe so that the strategic plan could indeed be operationalized. Yet it remains that there is this lack of integration. I guess our committee believed that the great intellectual capital that we have at Indiana University could not figure out a way to do this. Granted it will be very tricky to balance autonomy and integration. We have autonomy in programs, we have autonomy in campuses, and we hold that very dear here at Indiana University. Yet we also hold, I believe higher, the value of a quality education to the state of Indiana. And so we have to

figure out a way to create balance, tension and balance between autonomy and integration so that distributed education, that we can be the leader that I know we are and can continue to be. We should also recommend that the committee be given divine powers [Laughter], or something, I don't know.

**DALEKE:** I think we have time for one or two more comments.

**TERRY:** I would just add that I share a preference for distributed accomplishment of goals. I don't think that it's necessarily the case of this task force which would presumably look initially at how other universities have approached this, would necessarily come back and say it must be centralized or whatever. They might decide that the current decentralized system is quite fine. What I think, which I've never seen in my experience around Indiana University, is a comprehensive strong look at how the contemporary university is changing. How this university as one of two premier institutions in the entire state of Indiana can serve the entire state. I'd like to see somebody with the support the central administration, take another crack at it, and I was aware of those reports and I was also aware that it didn't come to much. And I believe this is an important enough change in higher education generally, and the way that is Indiana University responding to the needs of all of our students who can't get to one of our campuses. That we owe it to somebody to try once again to figure out what we can do better.

**DALEKE:** Ok if there are no other comments then I think we're ready to vote.

**HERBERT:** The motion on the floor is to adopt the report of the Ttask Force on the School of Continuing Studies as amended. All those in favor please say "Aye". [Aye] Opposed "No." [none] It's unanimous.

#### **AGENDA ITEM #6: CODE OF STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT**

**HERBERT:** Item six.

**DALEKE:** This is, as you know the Student Affairs Committee is in the process of revising the Student Code of Conduct and Responsibilities. I don't think I need to give too much of an introduction since you have seen both Rob Yost and Mary Popp here several times. And we will no doubt you'll see them a couple more times. As they're stepping forward I just wanted to point out to everyone that the circular is now U8-2005. It has numbers along the side that will help us identify particular lines for discussion. And of course this is a much lighter document than the original one which was the point of the whole exercise. I will let Mary and Robert move on.

**POPP:** Everybody should have lots of pieces of paper in front of them. We do this a lot and we are all growing very busy these days. Robert and I are here today to talk with you further about the Student Code now that you have had time to read about it and talk about it with your colleagues. Just a refresher, the University Faculty Council Student Affairs Committee was charged with rewriting, shortening and simplifying the code. And it's down to fourteen

typewritten pages. The members of the group include the University Faculty Council Student Affairs Committee and representatives from student groups and student affairs offices from around the university. Robert and I are co-chairs of the group, but we have lots of other people who have been working on this, meetings, interminable meetings, and working very hard on it. And we didn't last time acknowledge Kelly Kish who's done a tremendous amount of work on it, so I want to do that right now. Again, the two drafts that you have in front of you are the revised base code and the set of guidelines to provide a framework for each campus to create procedures for working with the code.

The Board of Trustees will be able to approve the guidelines, but they will not need to approve changes to the procedures on our individual campuses. That is the plan, that's why you have two documents in front of you. We have received comments on the code. We received some at the meeting that was not, it was a pre-first reading. I don't know if it was a minus one reading or something like that. A discussion item. And so we've done some of those, we have some things that we have received from some of you. Our job today then is to listen to the things that you have to say after you've begun the discussions with your colleagues on your campuses and after the meeting today we will go back and revise the code taking into account suggestions we received, and we did hear loud and clear about the off-campus issues last time that we need to deal with that more carefully. So what are we going to do? Robert is going to walk through the code with you, section by section, and at the end of all of this we're going to ask the members of the, presidents of the various councils and members of the student groups who are here today to tell us a little bit about what has been going on on your campuses. So I'm going to shut up and let Robert start walking you through the code.

**YOST:** Thanks Mary. The Preamble that you see before you on page one is basically the final version that was written based upon comments from this group when we were down in Bloomington, so it does indeed reflect what this body feels should be a representative and appropriate preamble. Do we have any particular concerns about the Preamble?

**DALEKE:** Herb?

**TERRY:** One I thought I'd expressed in Bloomington, line 8. It's nice if somebody wants to exclusively or exhaustively define the purposes of Indiana University, but I'm kind of scared of that. I suggested substituting "include" for the word "are." So it would say "the purposes of Indiana University *include*" the list in which you have here, rather than imply that this is the definitive list of what our responsibilities or purposes are.

**YOST:** Any further discussion on the Preamble? Well then let's turn to the next page into line 29. This perhaps is one of the more difficult aspects of the code based upon the feedback that we've gotten, some input that I've had from our IFC meeting this last week, and that's the question about student rights. We've tried to highlight them under the specific heading, bold type them, with specific viewpoints underneath. And what I would propose is that we go through a step-by-step, a, b, c etc., and entertain comments or questions about the individual sections. On line 35 talking about "Right of Access to Higher Education," one of the things that I've heard back by way of comment, and this is coming primarily from representatives from our colleagues in the professional schools, whether the right of access to higher education is truly a right, if that

is truly what we should be saying here. So, I would be very interested to know what the Council feels about that particular aspect. Mary?

**FISHER:** Robert, are you talking about the fact that they may gain admission to the university but they would not necessarily have admission to a professional school, for example.

**YOST:** Yes, that was the issue.

**FISHER:** But nothing here says that you're going to automatically have access to a professional school.

**YOST:** That is correct.

**FISHER:** So, I don't see a problem.

**BALDWIN:** Does it imply that you have access to the university?

**YOST:** I'm sorry?

**BALDWIN:** Does it imply that you have access to the university beyond that, does it imply admission?

**LUDLUM FOOS:** They are already admitted.

**YOST:** That's a good question.

**DALEKE:** Cathy brings up a good point. The code implies that you are an admitted student.

**LUDLUM FOOS:** It says "students" have access and that presumes that...

**FISHER:** Student rights.

**POPP:** And let me take you back to line 13 and 14 in the Preamble which talks about a student who accepts admission to Indiana University.

**ZWIRN:** So they've been offered admission.

**DALEKE:** There was a suggestion of changing the student rights of access to higher education?

**ZWIRN:** Yeah. It's understood.

**TERRY:** What I would prefer in this section was to get rid of title A and call the whole thing "Rights in the Pursuit of Education." It seems to me once you are admitted the students have a right of access to faculty, to advising, to be free from spurious impediments, to classrooms, laboratories and studios, a safe learning environment, and so forth. This seems to me a list of things that students have the right to once they're in, and I agree, this implies, particularly in the

context of this statement, that there's some right of a student no matter what to get in, which is not something we want to recognize in this document.

**YOST:** Another thing that came to my attention was on line 38, students have access to excellent faculty, it was recommended that the word "excellent" might be stricken. [Laughter]

**DALEKE:** If we're arguing for excellent faculty...

**YOST:** Correct.

**BALDWIN:** Excellent doesn't just refer to faculty, it refers to everything that follows, "excellent classrooms..."

**YOST:** That's true, that's not the way they were reading it, so they just suggested striking the word "excellent."

**FISHER:** Did I understand Professor Terry correctly that the suggestion was to get rid of A and then put the three things underneath?

**TERRY:** Underneath, yes.

**FISHER:** Gotcha ok. That's what I thought I heard.

**YOST:** There are some issues such as Line 44 where we will be seeking help and guidance from the University Counsel. People have been asking exactly what spurious charges and capricious decision-making actually mean.

**NASH:** I was just about to ask that.

**YOST:** It is in the current code, but...

**NASH:** Do we know what that means?

**YOST:** No, I don't.

**NASH:** But we have that right?

**YOST:** That's correct.

**LUDLUM FOOS:** I would speak against striking the word "excellent." Our tenure and promotion guideline specify that we must be excellent in at least one area of faculty work, so I think students do have a right to access. It doesn't say every faculty member they come across will be uniformly excellent, but if the students are here and never encounter excellent faculty, we've got a problem.

**BLUMENSHINE:** The word is loaded, couldn't some other more neutral word be found, like professional or something like that?

**YOST:** I think that's the way we we're headed, yes.

**BALDWIN:** We're not afraid of using the term "excellent" in our promotion and tenure guide.

**BLUMENSHINE:** In that one area only, and that's a very specified use of the word. It's very specific, it's not a general statement.

**DALEKE:** Ted?

**MILLER:** One of the, well, we know that there is in our state legislature right now a bill focused on what is called "The Academic Bill of Rights," and this seems, it seems almost inevitable that people will be hearing more and more about this kind of stuff as we go along. And I'm really wondering if the committee in sort of specifying the student rights part of this document, and you know, has taken into account, you know, to the extent that there are ideas in the "Academic Bill of Rights" that can be reasonably supported by the university faculty; I wonder, well, it's easy for me to, it might be something that would be useful for the committee to think about.

**KISH:** Ted let me, I can speak to one point at least in particular, and of course this is old language in the IU Code, it does not respond... I would hate to say that the committee is responding to the "Academic Bill of Rights," but down to line 75 and some of the language near there, it does talk about students being free of, or faculty members will be sensitive to political or religious beliefs, that's one of the issues involved in the "Academic Bill of Rights," a grading issue, you know, freedom for students from, you know, in this case academic penalties. [End of Tape 1, Side B, some conversation lost]

**DAVILA:** ...and it really militates against free, the free discourse of ideas and it confuses issues such as equating intelligent design and whatever, which is theoretical as creationism is, with a few other theories that are more fact-based. I think this sort of wording that we're gravitating to can be much detrimental and takes us in the wrong direction in terms of what the academy's all about. So I think we should tread lightly and be careful of this kind of terminology of excellence on the part of evaluations when not everyone has license to pontificate on who's excellent and who's not.

**TERRY:** Along the same line here, defining these as rights. If their rights are violated, the students have an ability and a right to complain. I can imagine somebody bringing a complaint at some point on an individual faculty level, "I had a course and you're not really an excellent faculty member." At least the way this is written. And while it may be true that we expect excellence in some areas, maybe in research, you know, they may well get a faculty member who is at best competent because that person has been excellent in research. And I'm a little troubled by this excellent thing too since it's something about which students can complain and initiate efforts to enforce their rights as we've defined them.

**DAVILA:** And not only that, I think those of us that work with what used to be called ethnic studies, and whatever the buzz word might be right now, diversity or otherwise, need to be able to expose what are actual historical facts of our society and not be accused of bringing partisan discussion into the classroom. At the same time admitting countervailing arguments and all, but the facts are the facts are, as Joe Friday says, and Darwin was a religious man, and I don't think he was that far away from a superior design, but the facts are the facts, and there are certain theories that hold up a bit better than others. So I do think we have to be careful with a lot of this ultimately relativism that comes in that can come back to haunt us and boomerang against the university.

**DALEKE:** Bill Wheeler and then Paul?

**WHEELER:** I'd like to move that, I think the word "sensitive" is subject to several interpretations, and the document says that it expects faculty members to be sensitive to...that was in line 68 and line 75, expect the faculty member will be sensitive to...I think the authors of that had a certain thing in mind, but the language can be interpreted many ways. It's possible to be sensitive and be very negative, and so I would like to move to the word in line 68 to be sensitive to be replaced with "to be sensitive to," to be replaced with "expect that a faculty member to respect the student's religious beliefs..." Likewise, I'd like to try and replace in line 75 "will be sensitive" with "will respect."

**KISH:** I'll just comment that the committee overall, this is not new language, this is the same language that has always appeared in the code, so the committee overall took the opinion that we would not change language that had already been approved by the Trustees unless there was a significant desire to do so. So most of this language is verbatim, including, you know, some of these terms, so I'll just comment on that.

**WHEELER:** I make my amendment regardless of origins and the history of this report.

**DALEKE:** Paul?

**EISENBERG:** Yeah, I'm thinking upon (inaudible) but I am concerned about lines 74-75 that "students have the freedom to express alternative opinions without concern for any academic penalty," I know that (inaudible) in Philosophy, often what the professor says is treated as a mere opinion by students and students are sometimes annoyed, to use a violent term, and their other opinion is not taken as equally valid. Now this sounds as though since there is supposed to be no concern for any academic penalty that the expression of anything whatsoever in the way of literary analysis or interpretation of philosophical text is as good as any other. So I think we need to have something somewhat more fine-grained here so the professor has the right in effect to say, no, that may be your opinion and I respect you having an opinion, but...and so forth and so on as all faculty recognize.

**YOST:** So you're suggesting we strike that.

**LUDLUM FOOS:** There was an article in the recent “Academe” on that exact point, and it used some very interesting examples of the kinds of complaints students made about having advanced their interpretation and it wasn’t valued as it ought.

**DALEKE:** Marty and then Richard?

**SPECHLER:** Well, I’d like to agree with Ted that this Academic Bill of Rights is something that ought to be considered, although I think not in this context. It’s a very powerful challenge to the status quo at this and many other universities, and I think it would repay a full discussion. Of course, there are some facts and some opinions are more correct than others. On the other hand I believe that professors have the responsibility to air a number of responsible opinions and theories in the classroom and not to indoctrinate the students with their own views. Now they may be correct views, but they’re usually not the only views around. And I really feel very strongly about this, and I think it’s what the Bill of Rights is intending to address. I think it’s such a serious issue that it would repay a separate discussion of, you know, to what extent does a professor have the right or perhaps the responsibility to press his or her own point of view in the classroom to the exclusion of other responsible views?

**DAVILA:** I think in Economics and in other fields of that sort, it’s a bird of a different color. In Literature and in the Humanities we might just have a different framework.

**SPECHLER:** No difference of opinion here?

**DAVILA:** Oh no, I’m not arguing against differences of opinion.

**DALEKE:** I would, we have Richard and then Herb. I also want to let everyone know we have a few other agenda items to cover today, so let’s keep our comments as pertinent as possible. Remember this is a first reading and I know Robert and Mary would like to cover at least most of the document if not all of it today.

**NASH:** This will be very brief. I want to pick up on what Paul was saying earlier with the line about, on 74. What strikes me in that “to express alternative opinions without concern” is; I urge us to think twice about using the language to encourage people to do anything without concern. It seems to me a certain level of concern is probably good. And I’m going to trust the committee to come up, to think through the issue, of how to revise that. I’m not interested in doing that sort of editing. In much the same way in those items under what is currently vague, I do take what I heard being spoken about the concern that we’re somehow pinning ourselves down and imagining a student saying, well this particular faculty member wasn’t excellent, I suppose the response is, yes, but you had access to take courses with other faculty who were excellent and you chose the wrong course. My sense is that’s what more important here is that somewhere in these three paragraphs the idea was, there are three things that we like to say at Indiana University that we do pretty good in this line of work that we’ve chosen, and if you choose to come here you can expect that we’re gonna be good at what we are. And we should have some statement like that. I would like it to be actually, because I think this document can always be briefer, I would like it to be a more concise statement that gives that sense of articulating here are

the things that Indiana University does well and that you have a right to expect us to do well. How the committee actually articulates that is up to the committee.

**TERRY:** My comment is along similar lines, that I think our purpose today is to identify things that trouble us a bit and if everybody nods we've got problems with 73 through 75, then the committee can try to do the best it can, but I would follow up on that. You think this is shorter but it can be even shorter, and it won't get shorter if we simply verbatim adopt large portions of the existing code. We're bringing the Trustees a new, improved, shorter, readable, legible things, and if that means tinkering with language that Trustees long ago, probably not including very many of the current board approved, so be it, let's bring them something good. Let's bring them something they can understand.

**YOST:** While we're on that page, another area that's causing a little bit of concern, David you maybe don't want to take lots of time with the issue, I know we're pressed, but the question has been raised whether or not Indiana University should be responsible for the sexual activities between faculty members and students and what level is it appropriate for us to be concerned, what level is this something that's beyond really something that IU should worry about, vis-à-vis, stories for example we've heard from graduate students having successfully dated and married professors, and so on and so forth. So at any rate that might be something to think about. Comments people may want to send about that particular thing because that's really a hot topic. If we flip the page "Right to the freedom from discrimination" we tried to basically in this section, as well as the next section, "Rights and Freedom from Harassment," incorporate the policies that are now in place at Indiana University. The wording we tried to craft with the help of the appropriate people and respective offices, and we think that this pretty well reflects the wording that should occur under those two particular areas, C and G. In E on the next page, line 143, we're trying to make every effort to indicate that we do indeed adhere to FERPA, and the fact that students do have access, the right to have access to different documents and so forth that affects them including of course their academic record, and that they should be able to have access to university facilities and resources. In F, Right to Freedom of Association...oh a comment, sorry.

**TERRY:** I am troubled a bit by 49 to 52 because of its specificity. You want a code that will last for a long time. FERPA could easily be replaced by some other, something or other, or some other acronym. It would seem to me that since we have other appendices in here, we could have footnotes or something, and 49 to 52 could basically say that the students can expect that their records will be maintained in a manner consistent within Indiana University policies and state and federal law. And then somehow beneath that we can cite that this current Indiana policy and FERPA, but if we have different policies five years from now from the 2001 policy then we don't have to rewrite the code.

**YOST:** Ok.

**TERRY:** And I would add state law in here because there are some state laws in addition to federal law.

**YOST:** In F we tried to address issues specifically related to the right for self-expression,

creative expression, freedom of speech, the right to be able to publish student publications, the right to be able to distribute publications, etc. So in that particular section we're trying to engage the basic freedoms of self-expression.

**DAVILA:** And I think that this is at the heart of the matter. My point really is, is not so much that literature isn't as responsible, but in Humanities as the Social Sciences, but I think it's clear to entertain differences of scientific or quasi-scientific thinking in the sciences and the soft sciences, whereas in the Humanities we need much more latitude so that ironically what we're arguing for is true academic freedom, not using the cover of the so-called, at least as it presently appears, of Bill of Rights that's not necessarily sold for everybody involved, the teacher included, the professor as well as the minority thinker in a seminar or in a class proper, or the lonely voice that comes out of the ghetto or comes out of a gender situation. Anyway, forgive me, this is not maybe the appropriate place to discuss it any further, but maybe further along we can clarify matters a bit more. But it is sort of mercurially very quicksilverish if you like to put our finger on this right now.

**DALEKE:** Luis, I think this is the right place, I think that as Marty had said this is maybe not the right time, but it's an important discussion...

**DAVILA:** I don't want to preempt the good patience of all my colleagues present herewith.

**TERRY:** This is the only time in my disciplinary background will intrude I suspect. But I'm not sure in lines 78-79 I have the slightest idea what the recognized canons of responsible journalism are. Let me ask Professor Reynolds. Could you tell us what that means? I would be happy if that were struck. They are free from censorship; they know they'll be suspended when appropriate proceedings are conducted by agencies responsible for appointing them.

**POPP:** We didn't know what that meant either, but it's in the current Code.

**DALEKE:** Jim?

**BALDWIN:** Many years ago there used to be responsible canons of journalism. I draw your attention to line 173 on here (inaudible) does that include flyers? I'm assuming it does. Students passing out flyers.

**EISENBERG:** If anything the language of canons of responsible journalism is not (inaudible) but I think the basic idea here is I'm guessing is something that we'd want to preserve. For example, the IDS frequently publishes articles or contains material which is offensive. For example, a year or so ago there was a cartoon in which it portrayed an African American student (inaudible) in appearance, and the African American students complained, the Racial Incidents Team responded, etc., etc., etc. And it seems to me that while it is useful for student publications should be expected to have some kind of concern, if not for responsible journalism then it's for something else, that I think may be covered by this particular phrase, perhaps covered inadequately, but you can't just let anything go without some kind of expectation of students being responsible in what they're doing concerning the rights of minorities etc., etc.

**DALEKE:** Herb?

**TERRY:** This is a classic dilemma in First Amendment theory. I mean at one point the idea behind the First Amendment or behind the traditions of freedom of expression was that you had freedom of expression, but you were responsible for its responsible exercise. And this country long ago decided that having the government, which we are in this case, enforce that responsibility is a bad idea. So I would be very hesitant to putting in here some language that someday down the line could be used to haul a student publication under any circumstances and say you behaved irresponsibly. There's a prohibition in here on fighting words, which could certainly include fighting images. In that case there's something left for the students to do on that side, but I'd be very very reluctant to approve something that says student journalists, at the college level at least, can be called up and accused of being non-responsible. It's sort of like, you know, you're not really sensitive to my beliefs or something like that.

**DALEKE:** Robert?

**YOST:** Proceeding on, thank you for your comments. On line 189, we talked about the right to contribute to university governance. The fact that students, as it's worded at the moment, have a right to participate in the formation of standards of student conduct, serve as members of appropriate committees such as the Student Affairs Committee of the Faculty Council. One of my colleagues mentioned that perhaps it would be wise to make the distinction between what's a right and what's a privilege. Specifically since this body does have the right to vote, a representation by a particular group, so again that's something maybe to think about for the future, whether that should really be rights or privileges associated with governance, how will it work in that section.

Right to accommodation for individuals with disabilities. Our thought there was basically all we really need to do is to say that Indiana University adheres to the ADA.

Rights of students as a complainant, victim or offender. What we're trying to do here is basically try to outline the process that students can expect to have happen should they become the victim of a crime or be accused of some type of misconduct on the campus. That will be addressed more specifically of course in the procedures part that will be coming down from the individual campuses. Now we do have situations, sorry --

**TERRY:** My comment on H would be the same as E. Again, why put in the ADA? That instead we comply with state and federal law dealing with accommodations for individuals including students with disabilities, or something like that. And then give the current laws that we know of. There are others we may not know of, but I presume we comply with them.

**YOST:** In J we're trying to address the issue associated with students as university employees, and supervising issues with Human Resources that they have access to. And then just as the students have rights they also have responsibilities, and so beginning on line 240 we tried to indicate what Indiana University would expect to be responsibilities the student should be expected to uphold.

**POMPER:** If we could briefly go back to I. The student charged, the rights of the student charged, it says here the “student has the right to be there whenever evidence is presented.” Our read out sexual harassment policy and the procedures by which that is handled, and it says that the person who is charged does not have the right to be in that particular case. Is that intended to be, and if it is so which policy would supersede it?

**YOST:** Quite honestly I was not unaware of that as probably the rest of the committee was as well. I’d need help from a law professor, but my assumption would be that federal law would supersede the code, right?

**POMPER:** I don’t know if that is a federal law.

**TERRY:** We have a policy we have previously adopted, and this is a subsequent policy, at least one example of legislative instruction would be subsequent policies prevail over earlier adopted ones. And I believe that this policy would eventually be one adopted by the Trustees, where I don’t think our policy on sexual harassment is. I think that’s our own faculty policy. I don’t think that went to the Trustees. So it’s something to address obviously.

**DAVILA:** And why did it not go to the Trustees?

**TERRY:** I just don’t think it did, but I could be wrong.

**LUDLUM FOOS:** If I understand it correctly, if that’s the case then if we passed this wording we would have negated any sexual harassment policy that said that...

**KISH:** The Sexual Harassment Policy was approved on June 15, 1998.

**TERRY:** By?

**KISH:** The Trustees.

**TERRY:** Then the Trustees can reconcile this.

**YOST:** Continuing on to about the middle of 266 under part two, the next thing we tried to is to try and define academic misconduct, and I think we have managed to cover all the different nuances we tried to cover in there with the electronic hard copy you can see there. Hopefully we did it all. If anyone has any further items that we’ve missed or overlooked please be sure and let us know.

The next thing we tried to do was to try and define cheating, both in and out of the class environment. In other words, any classes or majors that have a take-home exam we tried to cover that as best we could in addition to the in-class environment.

On page eight, the bulleted part, items numbered 2, 3, 4, 5 and 6, these were drafted again by input from various colleagues on the committee trying to again, address specific issues that may or may not be linked to individual schools. Hopefully we’ve hit all those, but if there’s

something that we missed please be sure and let us know so that we can try to get that incorporated.

Five in particular, I'll call your attention to that again, something to think about; we're trying to address the fact that we want to encourage, I'm sure this body would as well, all instructors and faculty members to provide course syllabi that are clear on what the expectations are going to be about the course and what the student can actually expect, and that's why that one is crafted the way it is.

The bottom of the page, down in line 344, addresses personal misconduct, as opposed to academic misconduct, on university property. And that's followed later on by a section on personal misconduct off of university property, that's over on line 479 heading number 5. We tried as best we could, we can't be all-inclusive to incorporate the major items of concern; obviously alcohol responsibility, fighting, those kinds of things. Hopefully we've managed to capture what the group feels will be a serious offense. We got a lot of input from our folks in Student Affairs in Bloomington on this, Pam and Dick were great in going over this list with us. Hopefully again we've managed to cover all those particular items.

**DALEKE:** Robert, I think we have a couple of questions. Herb and then Mary Fisher.

**TERRY:** Just one observation and then a question. It seems to me on line 256 and 257 that that's written so it covers only a certain type of students, those who are in a discipline, those who choose a major field of study, and those who have requirements for a degree. We've just heard that we have General Studies students who don't have a major. Some people are not pursuing degrees, they're pursuing certificates or something like that. It seems to me there might be a more generic way of phrasing all of that so it doesn't cover only the students who are in a major. I'll comment on the alcohol thing later.

**DALEKE:** Before we take any more comments, I want to say we've been at this for about forty minutes and we still have a couple of other items on the agenda. So keep in mind if you find comments that you think of that can be sent to the committee after this meeting go ahead and do that. Let's just deal with major issues as we go through this reading. Mary did you want to? Marty go ahead.

**SPECHLER:** Robert, I'd like to call attention to people that in personal misconduct off-campus, public intoxication is included in 2A line 503 and 4, but public intoxication is not listed as personal misconduct off campus. Now I think that that's really ridiculous, and not only is that dangerous, it's reported that 1,400 university students every year die as a result of public intoxication. And about 1/5 of students admit to binge drinking. I think that's probably been observed on the Bloomington and other campuses of Indiana University as well, and it interferes, I think critically, with the academic mission of Indiana University. I don't see how intoxicated students can learn anything. They can't remember where they've been. So I think it's very important to list public intoxication as a ground for discipline. I call your attention to the fact that Oklahoma University very recently has tightened its requirements and a student can be dismissed after two or three incidents of public intoxication on campus. Now we're not Oklahoma, but I think they have the right idea, and I strongly suggest that you include public

intoxication as misconduct on campus. What the policy will be about probation or education or exclusion we could debate. Personally I think a student who is habitually drunk on campus ought to find another use of his time.

**YOST:** I'm sorry, Martin, you had made me aware of that and I neglected to include that. I'll get it in there.

**TERRY:** I suspect that when we get to a final reading on this we will have an extended discussion of the alcohol portions of this, but personally I think a strong consideration should be given to dropping 19B 1 and 2, the instances in which the Dean of Students can approve possession or use of alcohol in designated housing by students 21 age or older, lists certain restrictions. And 2, "in designated undergraduate residences." I will speak more about that when we get there, but I think that's an invitation to a lot of trouble.

**YOST:** The next thing is just the procedures for implementation of the Code which basically outlines what the individual processes would be by way of notification and so forth, those are pretty much just definitions, there doesn't seem to be a problem with that. Again, please do email Mary or myself because we'd like to bring this back at the next meeting as scheduled and we'll definitely speak to that. And then finally, on the very last page, on page 14, again we're trying to make some definitions and define some individual aspects of the code. So that's basically definitions.

The other thing you have is circular U9-2005. It outlines procedural guidelines. These are the guidelines that we have worked on that we would expect all of the IU campuses to use as they begin to draft and craft what the procedures and policy will be on their particular campus with regard to academic and personal misconduct.

**DALEKE:** I would like to encourage everyone to read these as carefully as you can. We have a month's time before we take this up for a vote which is plenty of time for comments and feedback to the committee as they will continue meeting and continue their deliberations. Especially if you have some major concerns about parts of this, this will be the time to bring them up. We will also have an opportunity to discuss this again on the floor at our next meeting so it will be good to carry on as much discussion as we can with the committee between now and then. Jim?

**BALDWIN:** One thing just occurred to me but I don't think we can discuss it now, but in line 580, definition of students we don't have any mention of Purdue University students at IU campuses. Engineering students from Purdue at Indianapolis fall under the Indiana University code. I assume it's the same for the other Purdue students on the other campuses.

**YOST:** We'll check to see if we need some specific wording to address that.

**AGENDA ITEM #7:  
ACADEMIC APPOINTEE CRIMINAL BACKGROUND CHECK POLICY**

**HERBERT:** We're now ready for item #7.

**DALEKE:** Thank you Mary and Robert again. Ted?

**MILLER:** The item is regarding the policy on background checks for academic employees. The situation here today is that this policy or a version of it was sent to the various campuses prior to Christmas; presumably discussions have been under way on the various campuses. And my hope today since we have a very short period of time, would be to simply hear from representatives of the campuses reactions to this, to the extent that there are people who feel that we're going in the wrong direction, we should know about that.

**ZWIRN:** I read, I see here that the decision to include criminal and/or the financial background check. Tell me more about the financial background check. Credit rating? Or what are we talking about here?

**HERBERT:** ...and part of that we would check to see if there are any outstanding problems in terms of...Embezzlements and those kinds of things.

**ZWIRN:** It would be a criminal, it would be a criminal.

**HERBERT:** What happens is that normally it's checked to determine whether or not there has been bankruptcy and whether or not there are unpaid major problems. I don't know. When we've got them back, what they indicate is that there are no overwhelming problems with regard to major, there's no problem with regard to economic issues.

**MILLER:** It might be useful for me to just make a few background comments here. We've been through this before but let me say it again. This is an effort to comply with the state law which the University Counsel has told us applies to Indiana University.

**ZWIRN:** As state employees?

**MILLER:** I'm sorry?

**ZWIRN:** As state employees.

**MILLER:** Yes. You know, this law, at least as we interpret it, requires that a background check be done for everyone. This is to say a check on employment history, education history, and so forth. That is required of all new state employees. And then the law implies that criminal background checks and financial background checks shall be done for certain individuals. Now, the individuals that fall under that latter category, we have attempted to, we've used the language that is sort of related to the state law. On draft 6B if you will turn to that side of the page, down at the bottom there's a bold section title of that explanation. This is an effort to try to explain why this particular approach to the background check issue complies with the state law. You know, we've got a quotation in here which attempts to, you know, which basically comes right out of material referenced by the state law describing the kinds of people that require a criminal

background check in particular. So, you know, this whole effort is trying to get us in compliance with this law.

**ZWIRN:** I'm sorry I have not trouble at all with the criminal background checks, especially since I teach in a school in which individuals cannot be licensed to practice if they fail certain criminal laws they can't sit for the exam to be licensed to practice. It is the financial background check ---

**MILLER:** We did use the language there, but what the language says is that if you have an employee who is responsible for disbursement of funds, that person should have a financial background check. Something along those lines.

**ZWIRN:** Is there a financial officer here?

**HERBERT:** Charles?

**BANTZ:** Couple of comments. One is I'm assuming that financial includes department chairs, anybody who has the authorization. I certainly know they ran one on me, maybe that was a smart thing. But there are a couple of concerns I continue too have about this, and I don't claim this as my specialty, so I hope there's somebody here who is. Indiana has a law about anyone who deals with any children, Erin's Law. Is that correct? It applies to us. It is not the law in question. It's apparently an additional one which is why our campus long ago started doing criminal background checks on anybody who works with any student who could possibly be under 18; which means student teaching, all of our colleagues in nursing, in health professions and so forth, which is why our campus has obviously been doing this much longer than other campuses. And it's not in here that I see, and apparently this law at least as it's portrayed to me is unequivocal. It's not one of those cushy things like this says certain state employees in certain roles. But if you have any opportunity to work with anyone who is a child, which is under 18, and I want you to know I suspect down in Bloomington you have a significant number of 17 year-old students. This will come up and again, this is not my area of expertise; I would ask Dottie Frapwell and our colleagues in the general counsel to look into this. Those of you who have health professions I assume are already doing background checks.

**MILLER:** Well we have been receiving information from the University Counsel. I mean, this, you know from our point of view, this effort started at the request of the University Counsel. This law that you're referencing was not part of the rationale for the University Counsel suggesting we consider this policy.

**BANTZ:** It preceded apparently this law. This law was passed when I came here in '03.

**MILLER:** 2003. The law here is 2003. Well there's been no representation to us at all that there's any other law that applies to Indiana University and that would motivate action in this regard.

**HERBERT:** I should note that out of fairness to the general counsel, I'm not sure whether this was initiated by her or as a result of a response to a Trustee, or both. I'm just not sure.

**NASH:** Ted I have a question here about, I've been thinking about the disbursement of university funds, and I've been thinking about that in terms of department chairs and things of that sort. And fine, run all the checks you can on them, I say. But now I'm again wondering, thinking about much smaller pots of money, and particularly about funds that may come through the IU Foundation. Would that be included here? I'm thinking partly of appointments for people who are hired with a research account, but I'm also thinking of the case of endowed chairs in particular where it's not uncommon for an endowed chair to be tied to money to be given out in fellowships to graduate students and that sort of thing. Would those positions be subject to this background check?

**MILLER:** I have no idea whatsoever. I mean really from our point of view, you know, our view actually is that this law that we're talking about, the 2003 law, does not apply to Indiana University. Irrespective of what the counsel says, we don't think it actually does. I mean the law clearly wasn't written with an application like this in mind because there are all kinds of questions like this that can't possibly be answered on the basis of what's in this law.

**NASH:** Thanks.

**BALDWIN:** Isn't it true that different university counsels in the state have interpreted the law differently?

**MILLER:** As far as we can tell there is no other public university in Indiana that is doing anything like this.

**HERBERT:** I don't think that's true. Is Ball State doing something?

**MCNABB:** I don't know which one but I know someone is.

**KISH:** I talked to Ball State last week and they said they just check applicants against the sexual offender registry.

**HERBERT:** We'll find that out.

**MILLER:** Just as a point of information, the university that should be doing this is the University of Southern Indiana because the University of Southern Indiana is the only institution in the state as far as I have been able to determine that is set up in the law as an entity precisely of the type referenced in this state law. [End of Tape 2, Side 2, some discussion lost]

What we should take from this is that we are probably going to be into a longer discussion hopefully with the Trustees trying to work out a position on this that everybody can be happy with. Frankly I'm not sure that it's possible to come to such a position but I think we have quite a ways to go before we'll be approving something.

**TERRY:** As we go down that path there is something I would like to know from IUPUI, Chancellor Bantz. Since you have experience with a very broad approach to these background

checks I wonder if by the time we take this up again you could give us some idea of what IUPUI spends on these things, in some time period. You are approximately the same size as Bloomington in terms of employees; it would give us down there an idea of what we might be looking at. I think that would be interesting to factor out the budget. The Trustees might be interested in that.

**BANTZ:** It's fairly easy to do because it's a flat fee for, that's paid by the hiring unit.

**HERBERT:** I think I mentioned to the Agenda Committee that my intent is to ask the leadership of the Board to agree that we would set up a workshop for the Board for the purpose of discussing this issue to provide an opportunity for some dialogue with faculty on this. Any other comments?

**MILLER:** I'll just say one other thing, in terms of the Faculty Affairs Committee's work on this. It seems to me that there are some clear benefits that might stem from doing extensive background checks on academic appointees, there may be some benefits. But at the same time it seems to me that there are also costs. And possibly these costs will be quite heavy. And I think one of the things that we need to do as we get into a discussion with the Trustees is to articulate, as effectively as we can, what we see the costs of extensive background checks—given that we would be in a very, very, very, very, very small group of universities that's going to be doing this—what the cost of that might be to the institution. And I think that's a direction that the Faculty Affairs Committee is going to pursue as we move forward with this.

**DALEKE:** Ted also this may give us an opportunity to develop a policy that if the faculty agree upon could be used as a model for other universities. I think we always indicate that our faculty governance system that's been used as a model at many other institutions, this might be an example of a policy that could also be held up as the IU way to go. We could take a leadership role in this.

**HERBERT:** We're done with Item 7, let's go to Item 8, with Ted you're on again.

#### **AGENDA ITEM #8: FACULTY COMPOSITION REPORT**

**MILLER:** Item 8. Now we have a supplementary document that we'll pass around—I don't, you know, how much time do we have to spend on this David?

**DALEKE:** We need to adjourn at 4:30 at the latest and we have this and Honorary Degrees, so maybe 10 minutes.

**MILLER:** Well let me just talk at this point about the basic structure of what we have here. We have three reports. One of the reports is called Academic Appointments by Campus and this reports for each of the campuses the numbers of academic appointees in various categories and it gives us values for the Fall 2003 and the Fall 2004 and the changes over that period of time. This is the period of time that the PeopleSoft HR system has been functioning. This one year sort of change is, at this moment, the longest period of change that we actually produce records for for

all of the campuses of Indiana University. So the idea of this is that as we go forward through the years this history of this record with extend and we'll get a better picture of what the trends are and so forth and so on. Our objective is to try to bring to the University Faculty Council every year information that we can use to track what is happening to the composition of the faculty, particularly the faculty at Indiana University.

Now the document that Kelly just handed out, this is the matrix document. This document purports to be a description of the academic personnel system of the university and in particular I would call your attention to the list on the right hand side. And that is a list of all of the categories that exist on the academic side of Indiana University. Every academic appointee is appointed into one of those categories as their primary category of appointment. So as you look down the list on your campus you'll see for example, if you just look at the first page for Bloomington, you'll see there's a category there called Research Other. Well Research Other, the other there implies something other than a research scientist/scholar, that's the other category that's on the report. So to figure out what a Research Other is, you need to go over to the list of categories on this matrix sheet and find out and look at the various research categories. So in addition to the research scientist/scholar there is a research associate, there is a postdoctoral fellow, those are the Research Other in the terms of this particular document.

There also is a category called Adjunct Overload which we'll find in various places on this document. That's kind of a special category here because what it attempts to account for are people whose primary appointment in the university is not in an instructional category; they may be a professional staff person, they may be someone in a non-instructional academic category like a research scientist for example. To the extent that such people are hired to teach classes their instructional effort is accounted for under this Adjunct Overload category.

Now the purpose of this report is not to, I don't think we want to scrutinize this at great detail here in the UFC. It's really to provide information to the university. The main focus of analysis I think should be on the various campuses. As I say this first document gives us campus level information. The second document, the thicker one that you have, is broken down by school or by RC. And we have for all the campuses each of the responsibility centers and for each responsibility center there are the number of appointments in the different categories of appointment that exist within that responsibility center.

And then the third document is actually not stapled together but there are 4 sheets that indicate, that focus on the student academic appointments, which campuses have student academic appointments, which responsibility centers they are in and in what numbers. So I think perhaps, I'd be very happy to answer questions about this. Why don't we, one of the things that you'll notice is that on the school/RC document, the thicker document, if you go to the very far right hand column you'll see certain percentages that are there, certain percentages of change. And you'll note that they are only in the rows for total full-time and total part-time. This report that we're looking at is a report that was not necessarily prepared just for us. And it appears from this document that there is great interest, and I'm sure it's true across the various campuses, on the full-time vs. part-time appointments and what's happening in, with regard to those categories. As you all know the Trustees have been very interested in this particular issue. And so this report essentially reflects an interest along those lines. If you go back to the campus level document

you'll find in the right hand column some additional percentages. This was because we asked the person who made the report to give us some information about the tenured faculty and the non-tenured faculty. We think that in addition to thinking about the full-time/part-time appointees of the university that it's very important for us to keep track of the tenured/non-tenure track categories as well. And one of the things that I hope over time that we'll be able to do is to promote the importance of this particular categorization at the level of the Trustees because we think, we really would like to have them be thinking about that issue and what it means to the university as well as the full-time vs. part-time issue.

**HERBERT:** Any questions? Mary?

**FISHER:** The one thing I noticed is that there's no information about rank. And is it possible to drill down one more step and, I mean of the 1288 tenure-eligible faculty, how do they break down by rank? Is that possible?

**MILLER:** Everything is possible. But the structure of PeopleSoft actually does not help in that particular question because the appointment, the actual title that a person has is off in another area of PeopleSoft. But at the same time, for some purposes, what we're looking at here is really the crucial, is a crucial thing because our academic policies really don't focus on whether somebody is a full professor or an associate professor, but the question is that those people are part of the tenure-track faculty. And we have policies that pertain to tenure-track faculty; we don't have special policies that pertain...so from a policy perspective this kind of categorization is very important. The other information I think, it is available, it could be available, I'm not sure that it is actually at this moment however. You know one of the issues that, Adam, I think this is something that you should probably think about, you know, one of the issues is that the access that we have to this data is non-existent. We do not have access to any data from this system. We get it by, that is to say that the University Faculty Council is not authorized itself to produce reports from the institutional data. We have to go to an office that is authorized to produce reports, we have to ask them if they'll do it, we have get on their list, and of course they've got all kinds of things that they're trying to do as well. So we're not a very high priority in this and so in a way what we're looking at here perhaps doesn't suit our purposes as it might, but it's about all we can get right now.

**BALDWIN:** What happens on page, in the thick one, under Bloomington Arts & Sciences there's a category fifth or sixth one down called FPX faculty, which according to the sheet is part-time faculty but they're full-time. Do we have full-time part-time faculty?

**MILLER:** We have full-time faculty that are appointed in a category called part-time. Yes.

**BALDWIN:** Confusing.

**MILLER:** This is a, this goes back to the old academic system. If you'll look on the sheet, the FPX column is grayed out. If you can find the column for FPX is grayed out. What that implies is that at least in principle there are no new appointments being made in that category. The people that are accounted for in that category here are grandfathered from the previous status and

presumably the numbers are decreasing over time. Ultimately there should be zero in the FPX categories.

**HERBERT:** We have just exceeded the ten minutes, but one more question and then we really need to move to Honorary Degrees.

**LUDLUM FOOS:** I just wanted to say personally that the data for IU East, I don't want to cast dispersions against PeopleSoft, but it says Fall 2004...

**MILLER:** October 1<sup>st</sup> is the date of the census.

**LUDLUM FOOS:** ...because for East you have that we have 70 faculty but by my count we have 84 and that's a pretty substantial difference. I think they're all getting paid. So maybe that's the only error in the whole thing.

**MILLER:** Well we distributed a report along these lines last year as well and in various units people thought the numbers were not right. Whether they are or not I don't know.

**HERBERT:** Thank you very much Ted.

(The UFC adjourned into Executive Session to discuss Honorary Degrees.)