

Indiana University
BLOOMINGTON FACULTY COUNCIL
April 20, 2010
Indiana Memorial Union – Georgian Room
3:30 P.M. - 5:30 P.M.

Attendance

MEMBERS: Randy Arnold, Robert Arrove, Elizabeth Boling, Arthur Bradley, Geoffrey Brown, Carolyn Calloway-Thomas, James Capshew, Andrea Ciccarelli, Nicholas Clark, Angela Courtney, Jon Dilts, Carrie Donovan, Erika Dowell, Lucas Fields, Thomas Gieryn, Laura Ginger, Mary Gray, Karen Hanson, Patrick Harbison, Robert Hatten, Patricia Henderson, Brian Horne, Padraic Kenney, Valerie Markley, Jack McCarthy, Patricia McManus, Jennifer Miller, Jenna Morrison, Robert Noel, Elizabeth Raff, John Raglin, Diane Reilly, Peter SerVaas, Debora Shaw, Richard Shockley, Sonya Stephens, Herb Terry, Neil Theobald, Vasti Torres, William Wheeler, James Wimbush

MEMBERS ABSENT WITH ALTERNATIVES PRESENT: Rob Aspy (Margaret Baechtold), Sarita Soni (Geoff Conrad), Joey Tartell (Gary Potter)

MEMBERS ABSENT: Eric Arnold, Jack Bielasiak, Purnima Bose, Bruce Burgun, Gregory Demas, Julia Fox, Lessie Jo Frazier, Valerie Grim, F. Robert Jacobs, Michael Jolly, Paul Losensky, Eugene McGregor, Michael Morrone, Michael Rushton, Ranu Samantrai, Eric Sandweiss, Richard Stryker, Adam Szczepaniak, Maxine Watson, Sue Whiston

GUESTS: Beth Cate (General Counsel), Amanda Ciccarelli (Provost's Office), Roland Coté (Registrar), Lynda Delph (Biology), Craig Dethloff (Faculty Council Office), Thomas Frick, Liza Giambra, Pete Goldsmith (Dean of Students), Jurion Jaffe, Richard Nash (English), Sue Talbot (Trustee), Qixin Wang

Agenda

1. Approval of Minutes
<http://www.indiana.edu/~bfc/docs/minutes/09-10/03.02.10.pdf>
2. Memorial Resolutions for Norman J.G. Pounds and John A. Moldstad
Norman J.G. Pounds: <http://www.indiana.edu/~bfc/docs/circulars/09-10/B22-2010.pdf>
John A. Moldstad: <http://www.indiana.edu/~bfc/docs/circulars/09-10/B23-2010.pdf>
3. Agenda Committee Business (10 minutes)
(President Erika Dowell)

4. Presiding Officer's Report (10 minutes)
(Provost Karen Hanson)
5. Question/Comment Period* (10 minutes)
6. Proposed Revision to the Bloomington Campus Search and Screen Policy (20 minutes) (President Erika Dowell) [ACTION ITEM]
<http://www.indiana.edu/~bfc/docs/circulars/09-10/B24-2010.pdf>
7. Proposal to Revise the Bloomington Campus Calendar (30 minutes)
(Professor Tom Gieryn, Vice Provost for Faculty and Academic Affairs)
[ACTION ITEM]
<http://www.indiana.edu/~bfc/docs/circulars/09-10/B21-2010.pdf>
8. Concerns about Textbook Ordering (30 minutes)
(Beth Cate, Associate General Counsel) [DISCUSSION]

*Faculty who are not members of the Faculty Council and who wish to address questions to Provost Hanson or President Dowell should submit their questions to the Faculty Council Office. Our documents are available at: <http://www.indiana.edu/~bfc/>. To send e-mail to the Faculty Council Office: bfcoff@indiana.edu

Minutes

AGENDA ITEM 1: APPROVAL OF MINUTES

HANSON: We are at time, so let's begin. The first item of business is the approval of the minutes from the March 2nd meeting.

CICCARELLI: I disapprove.

HANSON: We have one disapprove, does anyone make a motion to approve? Second?

GRAY: Second.

HANSON: All in favor?

GRAY: I'm sorry can you repeat...we can't quite hear? Karen can you...?

HANSON: Yes, I haven't said anything of significance. We'll hope for more. So the minutes of the March 2nd meeting have been approved. We have two memorial resolutions. Tom?

AGENDA ITEM 2: MEMORIAL RESOLUTIONS FOR NORMAN J.G. POUNDS AND JOHN A. MOLDSTAD

GIERYN: Thank you. John Alton Moldstad was a professor emeritus in the School of Education where he served for over thirty years as a faculty member in the department of Instructional Systems Technology (IST). He was born in North Dakota and died in Bloomington in 2008, where he lived with his wife after retirement in 1988.

He was the son of John and Alma Moldstad of Minot, North Dakota. His father was an immigrant from Norway and his mother a homesteading teacher of a one-room school. He graduated from Minot High School in 1941 and entered Minot State Teachers College, but left to enlist in the U.S. Air Corps during World War II, receiving training in meteorology at Carleton College before being assigned to the Signal Corps for a three-year tour of duty in England and Belgium. After the war he completed a BS degree in Education with a major in mathematics at the University of Minnesota. Upon graduation he taught mathematics in New Ulm, Minnesota. Having an interest in innovative teaching methods, after three years of teaching he decided to pursue a master's degree in audio-visual education at Indiana University and then continued on to the Doctor of Education (EdD) degree, finishing in 1953 with a dual major in audio-visual education and educational administration.

John began his career at Indiana University in the Audio-Visual Center as research associate, adding an appointment as assistant professor in the School of Education in 1955. From 1956 to 1958 he was director of the AID (Agency for International Development) project at the AV Center, offering educational media training to students from fifteen developing countries. He also directed three NDEA (National Defense Education Act) Advanced Media Institutes, helping dozens of college professors enhance their skills in the production and use of educational media, and played a major role in developing the curriculum for the emerging academic program in Instructional Systems Technology (IST).

An early advocate of audiovisual materials in education, in the early 1950s he and AV Center colleagues created and presented a demonstration of the "cross-media approach" which they used in half-day workshops at two dozen of the largest school corporations in Indiana.

He was also probably the leading voice in the 1950s and 1960s for more and better research in audiovisual education; he founded the research department of the scholarly journal, *Audio-Visual Communication Review*, and headed it for nearly a decade. With colleague Gene Faris he conducted a national study of local production of audiovisual materials, which was subsequently published as a monograph in 1965 by the U.S. Office of Education. He went on to publish another U.S. Office of Education monograph on educational media and many articles and chapters in scholarly journals and books. His 1974 article "Selective Review of Research Studies Showing Media Effectiveness: A

Primer for Media Directors,” in *AV Communication Review* was widely cited and prominently referred to by AV practitioners seeking to justify support of their programs.

Professor Moldstad became visible in state and national professional organizations in early in his career, especially due to his leadership in promoting research. He eventually became a founder and first president of the Research and Theory division of the Association for Educational Communications and Technology (AECT). He headed the state AV association and served on the board of directors of AECT as well as the editorial board of *AV Communication Review*. He presented research reports and papers at dozens of state and national conferences and gave keynote addresses at three international conferences. Universities and ministries of education in Malaysia, Barbados, and South Africa benefited from his consulting work.

Most of all, though, John Moldstad was a diligent teacher, developing and teaching ten different courses in IST, from media utilization to facilities design to research methods. In 1974 John teamed with Michael Molenda to teach the first course on instructional systems design at Indiana University. Colleagues found him to be stalwart teammate, always striving to do more than his share. Students also respected his enthusiasm and marveled at his unparalleled collection of overhead transparencies, not to mention his ability to weave multiple types of media into a lesson. They also profited from his unmatched commitment to arrange field trips, allowing generations of IST graduate students to observe educational media in use in schools, colleges, and businesses.

Upon retirement, John found time to travel, paint, create stained glass work, and to golf—a lifelong passion. His circle of long-time friends relied on his expert advice on sites for dining and golfing around the U.S. He held memberships in the Bloomington Elks Lodge, the American Legion, the Bloomington Ballroom Dance Club, University Club, Annuitants Association, and was a fifty year member of the First United Methodist Church in Bloomington.

He met his wife Katherine “Kay” (née Geving) while both were studying toward graduate degrees at IU and they married in 1951. Throughout their fifty-seven years of married life, she shared his interest in the audio-visual field and his love of bridge, golf, ballroom dancing, and travel. Their two children, Janet and Richard, both proud graduates of Indiana University, remember that he never missed a school or athletic event of theirs, always finding a way to adapt his professional responsibilities to family needs. Later, he was a loving grandfather to their four grandchildren, Jason and Michael Wells and Lindsay and Natalie Moldstad.

Norman John Grenville Pounds, University Professor of Geography and History Emeritus died on March 24, 2006, in Cambridge, England. During the course of his life he became one of the most productive scholars on the historical geography of Europe.

Norman was born in Bath, England, on February 23, 1912. Following elementary school he won a scholarship to King Edward's, a local independent school, where he received his secondary education. This was followed by work at Cambridge University, where he received his B.A. in 1934 and his M.A. in 1940. He attended the London School of Economics on a research fellowship, and received a B.A. and Ph.D. from that university in 1942 and 1944, respectively. In the midst of the above education he married Dorothy Josephine Mitchell in July of 1938.

A part time teaching position at Cambridge was not quite enough to live on and this brought him to the States where he took up a visiting position at the University of Wisconsin during the 1949-1950 academic year. He came to Bloomington in the fall of 1950 as a visiting Associate Professor of Geography. He was promoted to Professor of Geography in 1952 and held that position until 1959, when he was named University Professor of Geography.

Norman became chairman of the Department of Geography in 1962 and held that position until 1965. This had to be a frustrating experience since his real passions were teaching and writing. He once said, "Throughout life I have been happiest when writing or thinking about writing or teaching." If one would visit his home on Moores Pike in the 1960s they would see manuscripts for different books in various stages of completion. Norman was not an administrator.

In 1968 the university added history to his title making him University Professor of Geography and History, a rank that he held until his retirement from IU in May of 1977 at which time the Emeritus label was added.

The quantitative revolution that enveloped geography in the U.S. in the 1960s was not welcomed by Norman. He was a traditional, regional geographer, and conflicts were common between the younger quantitatively-trained faculty members and Norman. The substitution of a quantitative methods course for Norman's research methods course was something he did not willingly accept. A colleague from those years stated, "Norman thought that course was the most important course any graduate student could take. Students were required to write a substantive paper as part of it. I remember the chair once asking Norman how he could give each of the twenty students in the class an incomplete, to which Norman responded 'They don't know how to write a research paper until they've completed my course.'"

Norman was to soften his views on quantitative analysis somewhat. Shortly before his retirement he was going to create a data base that included the dates of death from cemeteries across Europe with a plan to simulate the spread of the Black Death across that continent.

Teaching was on an equal par with writing for Norman. He was an outstanding lecturer, some would say captivating, and his classes and public lectures were always well

attended in England and Bloomington. In 1961 he received the Sigma Delta Chi Brown Derby Award as the most popular professor at IU. Following his retirement the Department of Geography, with Norman's permission, created the Norman J.G. Pounds Award for outstanding students in the freshman regional geography course. The annual award has been given to students for more than twenty years.

Norman was a successful writer of textbooks and histories, writing more than 30 of these over his career. This success came early and provided Norman with enough income to keep a house in both Bloomington and Cambridge. During the last several years at IU he would teach in the fall and spend the spring and summer in Cambridge. Following his retirement, Norman and Dorothy moved to Cambridge.

Peter Searby of *The Guardian* states that when Norman discovered at eighty-seven that he had leukemia he exclaimed: "But I can't die yet; I've got another book to write." He wrote that book, *A History of the English Parish*, and two more prior to his death. His book on parishes is considered a masterpiece by those in the field.

Norman's wife Dorothy died in 1989 at Cambridge. At the time of his death he was survived by two nieces.

HANSON: Thank you, could we stand and observe a moment of silence? Thank you. Thank you, Tom. The next order of business is Agenda Committee business.

AGENDA ITEM 3: AGENDA COMMITTEE BUSINESS

DOWELL: Alrighty. <Adjusting the microphone> I'll put this over here. Alright a few things to report on for the Agenda Committee. It's my fault entirely but I do not yet have the committees appointed to re-envision faculty governance but I'm sure that I will send you an email before the end of the semester with the names of the people involved. There's been a little bit of action. We were asked for nominees for the president's New Academic Directions committee. This is one that will be chaired by Karen and Charles Bantz in Indianapolis. Been appointed by the president and the nominations committee met yesterday and forwarded a variety – what? I don't know – six names forward for that. So just to let you know that I think the president is planning on appointing that committee, I think, this month was what he said and that we've forwarded some names of people we think would be good on it. We had talked earlier in this year about something, well we called it the "summer Council," but we don't really want to create a new Council in the summer but those of you who are currently serving on the BFC, especially those of you who are in the middle of a two year term, we're going to make an effort to compile our names and make sure that we're ready to email you if anything comes up over the summer. And we'll probably do a quick survey and see if there's anybody who actually wants to put their name on a list to actually – I don't know – say, send to the trustees to say, 'Hey, here are some faculty representatives who

are available throughout most of the summer and are willing to respond to whatever may come up.’ Just to say that we’re still here and wave our flag or whatever.

GINGER: To be nimble.

DOWELL: What’s that?

GINGER: To be nimble.

DOWELL: To be nimble, exactly. I should mention that nimbleness is the point.

Another issue that’s come up, not for discussion here, but that we’ve talked about as something to be aware of in a number of earlier meetings which is the policy passed by the Indianapolis Faculty Council to set up a procedure for a school on that campus to extend their tenure clock to something longer than what is established in the faculty handbook that guides us all. That’s going to be coming up at the UFC meeting in one way or another next week. Bloomington members met yesterday to talk about our response because essentially, as we’ve talked about before, Indianapolis passed a policy that many people don’t think they really had authority to pass because this is – the length of our tenure probationary period – is something that’s guided by the Handbook which is a product of all of us working together and agreeing on things at the University Faculty Council and sending those policies up to the trustees. At any rate, just to let you know that there’s action going on this, and I think many of us in Bloomington and on the regional campuses are interested in slowing this process down and giving time to have the University Faculty Council Faculty Affairs Committee consider it properly the way it should be – and should have been done over – at least, the summer. And so that’s probably not what the Indianapolis faculty want to hear and so there’ll probably be some discussions taking place this week before next week’s meeting to see what will be happening at next week’s meeting. It may come up simply as a discussion item with a resolution perhaps to pursue a different path, basically. And it’s just to let you know that we’re all aware of that issue, we’re talking about it and there are the documents on the UFC website that the medical school has produced because it is of course the medical school that is interested in expanding or extending their tenure probation period. So just to let you know that that’s happening and it’s possible on the UFC website to also find a list of people from this body and elsewhere who are on the University Faculty Council if you want to get in touch with any of us individually. And that’s what I have on my list.

AGENDA ITEM 4: PRESIDING OFFICER’S BUSINESS

HANSON: Thanks. On my list, the first thing is to remind you that you are cordially invited to a reception immediately following the meeting. I hope you’ll come over. It’s just across the street, really, at Wells House. So please do come for some relaxation and further—I was about to say further discussion, but maybe that’s not the thing to induce

you to come [Laughter] – some relaxed and enjoyable conviviality. I am discharging one of the duties prescribed by Faculty Council policies by indicating the status of administrative reviews. And we continue to have some decanal reviews right now and I hope they will finish up soon. Some of these are still taking longer than I think many of us wish they would take but the good news is that we have been through a huge rash of these reviews and we basically don't have any more to do next year. We do have scheduled up for review the vice provost for enrollment management. It's now the appropriate time for that review, and then I will just mention two other cases noted to me by Susan McCammon who keeps the academic records and I suppose in a way this relates to item number six on the agenda. Two other people who didn't have reviews but whose status is different now are Neil Theobald and Ed Marshall. Now Neil is now I think wholly in a UA post. The initial fifth year review should have been in 2006 and I think that didn't happen, but now he's in a – I think wholly – in a UA post as CFO. Ed Marshall is also coming out of what is now a UA office, DEMA. I think his duties are wholly Bloomington based but I'm not absolutely certain. So I'm mentioning it to you as something that's been passed on to me, but I don't actually know what we should do with it. The only one that is clear to me is that Roger Thompson is up for review.

I'll just give you a brief update although there's not much to say on the formation of a search and screen committee for a permanent dean for the College of Arts and Sciences. I've had nominations forwarded to me by the policy committee at the College and those went through the Nominations Committee which also included some additional names and I have begun asking people from those lists to serve and so far I've connected with one who immediately said yes, but I can't announce the committee yet. That will be done within the next few weeks. The update – again with very little actual substance – on the Communication and Culture-Telecommunications-Journalism issue: the internal committee of faculty members from those units issued a kind of a report which it passed on to the external task force and I also asked them to pass it on to all the faculty from their units and they I assume they did. Anybody? Okay, Telecom got it. Is there anybody from Communication and Culture? I don't know if there's anybody here from Journalism?

DILTS: Journalism got it.

DOWELL: Journalism, yeah.

HANSON: Oh, you got it too. So that is back in the hands of the relevant units but I have not had a report yet from the external task force and again, I think there have been some questions about whether or not anything, you know, major would happen on that over the summer. There won't be a reorganization over the summer. All bets are that the discussions of these matters will get folded into this larger look at academic reorganization in any case, but it will be useful to have the detailed thinking from both of these other groups. Any questions about that? Or about the College search and screen?

I just wanted to say a word about one of the issues that Erica raised about the time to tenure. I know that this Council may be accused of not being nimble because it wants to slow this down, but there is an immediate problem that is raised for us by this action, especially if the idea is to do this quickly just for the School of Medicine and that is that there are School of Medicine faculty here. That's not a core school, but it is a school that has faculty on this campus and the idea that this would be approved on a campus by campus basis is difficult when there are faculty from those various schools on both campuses and it is clearly a problem for the core schools if – particularly if – there are differences in the views of the faculty at the various schools. I did discuss this with the deans on this campus this week and almost uniformly they were happy with the present tenure clock. They think it works to the advantage of the Bloomington campus. One dean did say that he didn't see that there was necessarily a problem in allowing one school to do it if it didn't have any implications for other schools, but again, the core school issue and the faculty on both campuses issue, even for non-core schools like medicine and social work, poses certain difficulties for us that I think we really need to stop and think through. So, that's all I have.

AGENDA ITEM 5: QUESTION/COMMENT PERIOD

Any questions or comments? No questions came in antecedently. Alright then we are on to item number 6, the proposed revision to the campus search and screen policy.

AGENDA ITEM 6: PROPOSED REVISION TO THE BLOOMINGTON CAMPUS SEARCH AND SCREEN POLICY

DOWELL: Right. This is circular B24 in front of you, although it doesn't actually include the whole policy. It essentially includes the current list of administrators to which the search and screen policy applies on page one and then on page two it includes a proposed revision to the search and screen list which cleans up a variety of things having to do with fallout from reorganizations and name changes, things like that. It also includes at the bottom – and I think Tom Gieryn's office originally compiled this – under the heading, "Below is a list of addition positions for BFC consideration," it includes a number of vice presidents and the dean of the graduate school. Now this is the search and screen policy so I think if you actually look at the policy itself, the vice presidents probably don't fit into this that well. Maybe Tom you can comment on that, but on the other hand I think that when we look at this same list as it's put into the policies regarding reviews then that we may have an interest in substantively discussing adding to our list of people that we would want to review vice presidents who have significant responsibility on the Bloomington campus of which those listed certainly do have significant Bloomington responsibility in some ways even though they're university administration appointments. So do we have any comments on this? Tom, did you want to say anything on this item?

GIERYN: Only that I think the idea of having a review in a search and screen context of these vice presidents is a good idea. Now the question would be since their responsibilities extend beyond Bloomington, whether this is a discussion that should happen in the UFC, and the procedure should be established and the list should be expanded there.

DOWELL: I think that's probably right. Herb?

TERRY: In light of that and the other two items that are coming up, I would propose we adopt A. through P. and pass the question of what to do about the university vice presidents who are based here or have significant duties here or whatever along to the appropriate committee of the BFC next year and probably to the UFC.

DOWELL: I agree. I think that's what we should be considering as our action item now. Is there a second for that? Thank you.

WIMBUSH: Erica, I do have a question. I don't see the Dean of the Kelley School or SPEA.

GIERYN: I assume that –

DOWELL: Do they report to another campus? Yeah, they're under the IUPUI procedures aren't they?

GINGER: They're under the IUPUI procedures.

HANSON: No, no the dean of Kelley reports to me.

GINGER: Really? For search and screen?

HANSON: Right.

GINGER: According to this they weren't in the original policy either, right?

DOWELL: Good reading! Thank you!

GINGER: No, according to this, they're not under the original policy.

HANSON: They may reported differently then, but...that's what I'm guessing. And what about the dean of the graduate school?

GIERYN: They should be on the list. I don't know exactly where they got lost. It could have been in the shuffle when we changed things but thank you, James, for catching that. There's no reason why they shouldn't be.

DOWELL: Right, and which were the two? School of Business and SPEA?

HANSON: Ah, no, no, no –

GIERYN: Oh, I know why!

HANSON: SPEA does report to IUPUI, but the Kelley School doesn't nor does the dean of the University Graduate School. That's the one I thought you were missing.

DOWELL: So that can be Q. and R.

GIERYN: May I ask a question? Did the reporting line for Kelley change at some point?

HANSON: Yes.

GIERYN: It did? Then what happened was Kelley was left off because the reporting line went up to Indy and when it was changed I don't think the policy – the one pre-modification – was ever changed and that's why Kelley was left off. So Kelley goes on and who comes off, Karen?

HANSON: Well I'm thinking the dean of the graduate school should go on.

DOWELL: Should go on, too.

GIERYN: Should go on?

WIMBUSH: Yes and no, in the sense that the dean of the graduate school reports to the senior executive vice president.

HANSON: I get you! Sorry, it is complicated.

DOWELL: So should that stay on this list for consideration by committees next year?

HANSON: Yeah.

DOWELL: Alright, so right now we're considering A. through P., plus Q., which is the Dean of the Kelley School of Business. Any further discussion? Jim?

CAPSEW: Is there a justification for D., vice provost for enrollment management? Is it just all the vice provost are going to be on that list?

DOWELL: I believe so.

GIERYN: We felt that if the principle responsibilities were on the Bloomington campus, <clears throat> excuse me – campus, and rank was at vice provost <chokes up > Popcorn. [laughter] <clears throat again> It's not that I feel emotional about this. [laughter] It was a simple listing of all vice provosts who were primarily based in Bloomington regardless of their domain.

DOWELL: Herb?

TERRY: Do we have a vice provost for student affairs?

HANSON: We have a dean of students. He's right there.

TERRY: So should this say vice provost for student affairs? Do we have the office?

HANSON: Well yeah, I mean we have the Office for Student Affairs.

TERRY: And that's different than the dean of students.

HANSON: It's headed by the dean of students.

TERRY: Would the dean of students be reviewed or searched for under this list, I guess is the question.

HANSON: Well, I mean, you might want to substitute there, you know, dean of students for E. I mean they became the same person.

TORRES: For the sake of not changing back and forth, perhaps dean of students can just be added to vice provost for students.

TERRY: That's fine.

DOWELL: Okay, that's good for me.

TERRY: Is this one of those policies that indicates should names of offices change, we still try and study? So the fact that the School of Health, Physical Education, and Recreation might maybe soon have a new name would still mean that the successor officer would be searched for?

DETHLOFF: Yeah, the policy says that this is the list of offices as of this date.

TERRY: Okay.

CALLOWAY-THOMAS: Would you revisit what we've done or said?

DOWELL: Pardon me?

CALLOWAY-THOMAS: Would you revisit what we've done or said?

DOWELL: Yes, we have added to item E. what I put down as sort of a vice provost for student affairs/dean of students. We have added dean of the Kelley School of Business. That's what's under consideration now.

TORRES: What was the conversation about the graduate school dean?

DOWELL: It was unsaid part of it. It involved significant...

HANSON: It's a little hard to say because that's a university wide position not a Bloomington position. So, although it reports to me, it might be me with the EVP hat on, not as provost.

DOWELL: So I think we left that on the to-be-considered-next-year list, after all. Alright do we feel comfortable taking some action on this? Yes? Okay, motion?

TORRES: Motion.

CALLOWAY-THOMAS: Second.

DOWELL: Very good. All in favor? [Aye] Alright, great. And we'll send the rest of these names, titles to committee next fall.

HANSON: Okay, the next item is the proposal to revise the Bloomington campus calendar. Tom's up on that again.

AGENDA ITEM 7: PROPOSAL TO REVISE THE BLOOMINGTON CAMPUS CALENDAR

GIERYN: Well, it's been quite a ride! [laughter] When the task force started earlier this semester it was clear that we cannot and will not satisfy everybody no matter what we chose to do, leave it alone, change it this way or that way, somebody would be pissed off. And a number of those pissed off people are in this room and they will speak I'm sure and so I will be brief.

But in the past when we considered a change in the calendar, those opposing the change were given a kind of veto power. They expressed their changes, they were presented as insurmountable obstacles and the discussion stopped, typically, most recently, prior to a vote in this body. And so this time we pursued a different strategy which was simply to acknowledge the obstacles, and there are many, but to give the elected faculty governance body the opportunity to vote on whether the benefits of a new calendar outweigh the obvious challenges posed by the obstacles. So it's a

different tactic. And so, we bring the proposal to you. This time around, let me emphasize four matters for your consideration. That is as you decide your vote, I think these are the four questions that are perhaps most important. First, what's the magnitude and the significance of the problem that this change was designed to solve? Presumably we are going to make this change for some punitive benefits or because something is wrong. The five benefits that have surfaced most often are these; that in making Labor Day a university holiday we're no longer out of step with the rest of the country and indeed our peer institutions and we honor the tradition of American labor; the need for a breather in the long stretch between August and Thanksgiving to allow students and faculty a chance to sort of literally catch their breaths in that long run; the reduction of the potential for party time during Welcome Week; the need to create more time between the summer and fall semester to allow facilities to be worked on, mainly classrooms and to allow other activities, many of them non-curricular activities, to take place without competition from actual coursework in that in-between period; and finally, declining summer enrollments, especially in the 8 weeks session. To address each of these—these are problems—and if you believe they are significant problems then you might want to vote yes on this particular proposal.

Second consideration: what is the likelihood that these proposals will in fact solve the above problems? It's not always obvious. Many people, and this as you see now I've—summarizing what has been a very full email box over the last week—Welcome Week party time cannot be stopped. Change the days, the party will go on. Monday and Tuesday of Thanksgiving week can never be recovered as serious instructional days. The door's been open for some time, and it's going to be impossible to close it. Summer enrollments are declining for reasons that have nothing to do with the calendar, but rather a whole set of activities and changes in lifestyles and costs and whatever you want to put in there changing the calendar won't fix it. So there are some concerns, and if you believe that the proposal won't solve the problems because of some of these reasons, you should vote no.

Third consideration: will the proposal create new unwanted problems? We don't have too many wanted problems, but in this case it's an unwanted problem. For example, as many have told me and the task force, the new breaks whether they're at Labor Day or mid-October will create additional opportunities for party time which is exactly the reason why we moved or shortened Welcome Week. That the travel days around the new Fall Break will reduce attendance on the Friday before and the Wednesday/Thursday perhaps after pointing to the pattern that has already emerged with respect to Thanksgiving recess. If you believe that these bad things will result from this proposal, you should vote no.

Finally, the fourth consideration: will the new calendar simply be impossible to implement? Despite its benefits, it can't be done. By far the modal response that I received from people who were opposing this proposal centered on the four broken weeks and the loss of Mondays as instructional days. We're increasing the number of

broken weeks to four, we lose in effect three Mondays if you treat that first week as not having a Monday in it and for classes, mainly labs, large courses that have multiple sections, and mathematics and foreign languages, many of these are structured based on the premise that there is a five instructional day week. And to tamper with that makes it extremely difficult, exacerbated by the problem of inadequate laboratory teaching lab space which makes it very difficult to rearrange the students who need these classes mainly in Biology and Chemistry, and we have representatives from both departments here to speak about that issue. This may be an impossible obstacle. In the same way, 12 weeks, reduced from 14 weeks during the summer may be an impossible obstacle. I've heard from some units that they literally need 14 weeks total, however you chop it up, to cover a certain amount of material. Some have told me that the increased flexibility of summer classes will create inevitable logistical nightmares as students who are trying to take more than one class at a time will find the overlap, because of the flexibility and the multiple starting times and the diverse durations of summer classes, scheduling will become an insurmountable obstacle. If these impossibilities are real for you and significant then you should vote no.

I'm presenting this proposal in all honesty. Not everyone is going to be satisfied. Many people believe that it's impossible to implement and yet at the same time, the task force and I think that it has many merits that are worthy of your consideration. So I think that it's perhaps more important at this point to let others speak who have strong opinions on the proposal.

ARNOVE: Are we supposed to vote on each item separately or on the total package?

DOWELL: Karen?

HANSON: We would like to get an in-principle vote on the whole package to see whether or not people are in favor. Finding out what it would be to implement. If people think it's not anything they're interested in then you can do further work on this right now. Where if people are interested in seeing whether or not (noise on tape inaudible) we would like to know that. On the other hand, at least the Labor Day part is disjoint. The others kind of work together.

DOWELL: Yes?

GRAY: On that, could we make a friendly amendment to lead with a vote on Labor Day since it's a separate issue and move to the more likely contentious discussion of the other item? I can see the importance of seeing does this whole package fly, but my concern would be if there's agreement on Labor Day and we don't move to make that agreement public and voted upon that could be a problem.

HANSON: I'm not sure if it is a friendly amendment given the way that it has been put in, but on the other hand we can say we definitely will not neglect that.

DOWELL: We will not leave Labor Day behind today.

GRAY: So towards that, and maybe this is an unfriendly amendment, I'd like to move to —unless I'm missing something—I'd really like to make sure that this body takes a stand now on Labor Day even if it won't be left out. But I can tell I'm upsetting some apple cart I'm not aware of—I'm prone to do that—I'm just a little concerned since we have another issue to discuss that we could spend the entire hour plus on just the merits of (inaudible) are contentious. So I don't know what to do with that. I don't want to cause trouble, but I really don't want to not vote on Labor Day if there's agreement.

DOWELL: I have promised to resign as president if we don't vote on Labor Day today, so it's going to happen. Okay?

GRAY: That's good enough for me.

HANSON: Bill?

WHEELER: I would like to, in order to focus discussion on the heart of it, I would like to propose an amendment to item 3 so that it would read fall semester classes will begin on the Monday of the week prior to the present day of classes.

HANSON: Is that a motion?

WHEELER: That's the motion.

HANSON: Okay, is there a second?

GRAY: Second.

HANSON: Discussion?

CICCARELLI: On the mandate before you just said?

WHEELER: The current one...

CICCARELLI: Well, as the former chair of the language department I receive many emails from chairs, the current chairs of language departments. Many departments have an orientation week we have for new AIs which actually is a two week orientation week. Now it's called orientation week, but it's really a two week period. We are asking the new AIs to come to school already two weeks before. We don't pay them because departments don't have money, I mean, we give them two or three hundred dollars. The lecturers and the director of language programs are not paid extra to do this two extra weeks. If we start one week earlier and we bump everything down, basically we

are asking people to come here three weeks, I'm guessing at the beginning of August and I find this—we're talking about a large number of people—and I find this financially and pedagogically difficult to be accepted by a large number of departments, at least in the College.

HANSON: Bill?

WHEELER: I have sympathy for that because we actually bring—in math—we bring in our graduate students three weeks prior to the current orientation [laughter] and so I understand that fully. You know I proposed the amendment because I am sympathetic to items one and two. I think they have merit there. I think, though, that the cost that they impose on the lab sciences and on Monday and Monday/Wednesday classes is just too great and as you know from the email that I sent to you in the wee hours of this morning that, you know, the one way of reducing that cost, maintaining the same number of Monday/Wednesday classes, mitigating the impact on the lab sciences would actually be able to start on the—you know, to move everything—to start a full week earlier. And so in my view, I would have difficulty voting for—certainly for the fall recess—and possibly also for Labor Day, if it's going to have a significant academic cost.

CICCARELLI: I agree with you. I wouldn't vote now for the fall recess. I would vote for Labor Day. I think one day wouldn't affect as much. I think we need to outweigh, as Tom was saying, what is the common good to us over discipline interest. I just don't think the language departments would have the will and the strength to have everything one week earlier it's just—financially it's just—not possible for us. I don't want to get into details, but it's not financially possible.

WHEELER: Well, but I gather that you would oppose then even the current phrasing of Wednesday of the week prior because that would again force you to go another half week earlier.

CICCARELLI: Yes, but what I personally oppose has nothing to do with whether I think it would be good or bad objectively for the university. I think if there is a majority of people who would want this, I would accept it without bleeding or making anybody bleed. The point is that right now, I think anticipating it by one day, which—personally I find it ridiculous to anticipate it to Wednesday because I think the students won't come here until Tuesday after Thanksgiving or many of them but this is again, another issue. But I think that anticipating the academic year, maintaining the same rigorous structure that we have during the summer in the language departments, no chair from the language departments right now will accept this, one day or one week.

ARNOVE: I have a question for Bill since I read your email this morning. And the question is, what is the difficulty since you're concerned about losing Monday and Wednesday classes of switching classes to Tuesday and Thursday. Can you just explain

to us what the difficulty would be of changing Mondays and Wednesdays to Tuesdays and Thursdays?

WHEELER: Well, I don't think there are enough classrooms.

ARNOVE: Is that the classroom space?

WHEELER: Roland is here...Roland? Do you actually want to move all the current Monday/Wednesday classes to Tuesday/Thursday?

COTE: No, I don't think I would be comfortable with that... [laughter]

DOWELL: Well, we didn't say all.

COTE: We can barely accommodate what we're already being asked for now.

ARNOVE: So it's classroom space.

HANSON: Although we have, yes...

ARNOLD: I think Bill's amendment has a lot of merit for a completely different reason maybe, in that the fall semester right now is already two days shorter than the spring. If we take any more days out, we have to add more days back. But if we have to add more days back, why don't we add enough days to actually make it balance with the spring? If we start on the Monday before, we'll have 74 days of instruction in the fall just like we have 74 days of instruction in the spring. Then we can actually at least try to teach the same content in both semesters and—I mean, many classes run in both semesters—it would be great to have the same number of days to be able to actually provide the same amount of material in both semesters. So I think it's a really wise amendment. It would have a lot of benefits even though there would be some drawbacks.

HANSON: Additional comments?

MCCARTHY: I think one thing that is just relevant to bring up is that a lot of the concerns, you know, there's concerns being addressed about the sort of student culture in their first view of campus coming in and many students move in, you know, now they start on the Monday a full week or almost a full week before because that's when the parents can come down. I think starting on a Wednesday, they would move down three or four days before. If they start, you know, a full week Monday earlier, that problem is not being addressed. So that's just something to point out. I don't know if it's, you know, an issue that is academic necessarily but it's just something to think about.

HANSON: Peter?

SERVAAS: Another part that last meeting, especially for those that weren't here, we haven't mentioned that IUPUI, I think is a major note that should be taken. We do see in number 2 that they mention Purdue does have a mid-October break, but IUPUI will be implementing it this coming semester. So I think that kind of feeds (electronic noise of tape, some remarks lost) there's no way to having escape this when we see a peer institution putting it in place. There's also the benefit that the courses—I've taken a course myself that was taught at both IUPUI at IUPUI as well as Bloomington's campus—and being able to align those schedules can have a lot of (electronic noise of tape, some remarks lost).

BROWN: I want to come back to the broken weeks. I'm leaning toward voting against anything that increases the number of broken weeks that are on all these. I actually do think that's a serious flaw of the plan that's on the table and I just wanted to say that. I think a lot of core courses do need to take that into consideration. It's pretty awkward to teach large laboratory courses if the weeks are broken up.

HANSON: Herb?

TERRY: You know something in the chemistry report that I haven't seen before stated quite this way—and maybe Roland can contribute to the discussion of it—they said that one of the reason they had scheduled the labs the way they did was the complexity of student schedules on the Bloomington campus. Compared to Purdue, I know we teach many more classes that students in many ways have more complex schedules, and in addition I think chemistry really said perhaps compared to Purdue we simply have less laboratory space and less flexibility in classroom space at all. So arguing that because Purdue can do it, we can, may ignore substantial differences in the way and number of classes that our students take and the flexibility that the science programs may have there to reschedule classes and we appear not to have.

HANSON: Other comments or questions? Luke?

FIELDS: I think one of the things that I would really like to say is that it's great that Peter and Jack are here because I think that they represent a continuity of interest where I was fortunate to sit in Peter's seat last year as the IUSA president, this has been a continual theme that students—this is something that students want. And I understand the reality that sometimes students aren't going to come to class and I think that's part of the reality of a college campus that students are autonomous and they get to make these decisions about when they're going to go and I've been a student in foreign languages and had classmates who didn't go to class and I was a student in the business school and there were students who didn't come to class and believe it or not now there are students in the law school that don't come to class. But one of the things that this gets at that I think is important from the student perspective is that the students who are coming to class regardless, I think they're the ones who stand the most to gain from this because this has been one of their most consistently mentioned needs and desires

of the student experience on the Bloomington campus. Can we please have a couple of days off to catch up during that marathon of a fall semester? And so, making the argument always from the perspective that 'Well, students won't come to class,' but I don't mean to be blunt, but I might suggest that they might not come to class either way. [laughter] The students who stand to gain the most from this I think that the fall break is most aligned with their interest and this represents a plurality of student thought for at least two years and probably closer to, you know—

MCCARTHY: Thirty. (laughter)

FIELDS: --well, four or five.

HANSON: And I'd also want to say that I'm not happy to have faculty acquiesce in the idea that those aren't instructional days then. I mean faculty do have some control over this. If they gave quizzes those days or had things that were, that students understood to be crucial, some of the behavior might change. In any case, it's not a discretionary day for the faculty and that they treat it that way is not something we can endorse as an institution.

WHEELER: May I please point out that the amendment on the floor is sympathetic to the fall break, you know, because what it's trying to do is to address some of the disadvantages of the fall break proposal that, you know, by starting classes a full week earlier, we could have the fall break without decreasing,,, You know, it still it doesn't solve every issue about it, but it solves several of the issues that a fall break would raise so that I would hope that the conclusion of the point that you're making is that you would vote in favor of the amendment?

FIELDS: I support anything if it gives us a fall break. (laughter)

HANSON: Peter?

SERVAAS: I guess two notes. I definitely agree with the amendment as well and I feel like that's something that we're okay with as long as it does give us the fall break. The point that—I don't think that Dean Goldsmith is here, I still remember—

DOWELL: Here's here.

SERVAAS: Dean Goldsmith do you want to speak to the student perspective? I still remember our first conversation about you wanting a fall break. [laughter]

GOLDSMITH: Yes, I spoke last time, but I think that the marathon idea is what I worry about because it's an awfully long haul from August to November. And so the notion that this there's this break that allows people to catch up or I heard someone say "catch their breath" or to have a little break, and again think how the rhythm of the spring

semester feels versus the fall semester. I think it's a long haul for us, too. And so I would just urge that I think this has been a consistent theme. I've heard about it since I've been here and I think it's an issue that students have really fought for time and time again.

HANSON: Do you want to speak to the issue of the move-in week? Jack did raise that issue and there, I mean, that's part of the reason we want to talk about them all together.

GOLDSMITH: And again, from an environmental management perspective, anything that shortens the time between when students move in and start class, in my opinion, is a good thing. The longer that stretches out, I think, the more time we have to develop bad habits. And so I think the more engaged that we can be to have students move in and start their work I think is a very positive thing. I'd also add the added benefit for some families is that they can move their students in on a weekend and they can start class a couple days later. That is advantageous for families as well.

GRAY: That was going to be my question. I couldn't remember when the residence halls open. So the residence halls will be available to students when?

GOLDSMITH: Well, right now what happens, and I can't give you those dates precisely, but what happens now is we have an early move-in option for students who have this issue with families being able to come on the weekend. The problem, again, is that it stretches out the time before anything formal starts and students are creative and will fill that time.

HANSON: Herb?

TERRY: When does MCCSC begin in the fall?

DOWELL: Early.

REILLY: Earlier than us.

DOWELL: It's very early.

TERRY: Alright, so we would not be shortening the vacation time for families with kids in MCCSC, okay.

HANSON: Bill?

WHEELER: Well, I think it's entirely within the authority of the administration to compress the Welcome Week. Welcome Week used to be known as registration week, and it's an artifact of the 1960's/1970's era Fieldhouse registration when every student,

freshman, sophomore, junior, senior, and graduate student had to report to the Fieldhouse on one of the days, Thursday through Saturday, preceding getting a class list to physically pick up computer cards in order to be registered. And that one of the challenges that orientation faced at that time was that the students could not actually register during the summer. They would come to summer orientation and they could reserve several classes but they couldn't register for anything and so we had to have all the freshmen come in so they could have their final meetings with the advisors and decide on the last courses and then you had to have all students here for four days so they could actually physically pick up the cards. And so orientation was faced with the challenge of trying to find events to fill in all that time. Now, we no longer have Fieldhouse registration and it seems to me that Welcome Week could feasibly be reduced to a Welcome Weekend, perhaps a three day weekend or something like that. I think the proposal here talks about reducing it from five days to four days. I've looked through the entire Welcome Week pamphlet from last fall and the central activities are, you know, the freshmen induction ceremony, perhaps—although not everyone goes to those—and then the UD advisor meetings and the dorm meetings. And I can envision a situation in which you could have freshmen move in and freshmen induction on Saturday, dorm meetings on Saturday night, UD advisor meetings on Sunday afternoon or something like that. And then Sunday night would be the traditions presentation at the auditorium. But certainly Friday, Saturday, Sunday seems to be feasible so I agree on the graph. I was really appreciating this report we got last time from the Social Environment Task Force, but looking at the graph on the second page there—which as a math teacher I always look at the graphs—you know what that brought home to me is that if you look at that graph on page two, you see the peaks there on Tuesday, Wednesday, and Thursday—you know the day of freshmen induction ceremony—is actually, you know, when parents are here! It's one of the peak days. And the only thing that actually stops alcohol violations is to go to class. They drop to zero. So this is an argument that, you know, we should get students into classes as quickly as possible and I think if we started on the Monday preceding the one we currently do and bring the students in on Friday, that would go a long way to addressing the alcohol issue.

HANSON: We're going to have to cut this fairly short, but Peter do you want to...

SERVAAS: I just have a quick comment. I do agree, I think it could be cut down, but there are a lot of things that weren't mentioned that I think provide an opportunity for students to meet other students, really allow them to have a cushion before coming to the college environment. You have to keep in mind that this is a minority of students that are getting in trouble. It's a very small number relative to the huge number of freshmen coming in. So, you know, not every student's running around in a chaotic fashion.

UNKNOWN MALE SPEAKER: Call the question.

HANSON: Do you want to speak to—I mean, there were—one, I feel slightly uneasy about moving things around a full week in the calendar...

GIERYN: Two concerns and I'll also give Roland a chance to speak. There are other activities that would normally go on the Monday in this proposal, the original proposal, Monday, Tuesday would be taken up for orientation for students who missed it during the summer. There are testing activities, other organizational activities that would go on that Monday, Tuesday. They could be bumped forward, but again we're back to Andrea's point that requiring people to come in even earlier—

HANSON: Are we in trouble with respect to the summer issues, too, and the cleaning of the dorms...?

GIERYN: Remember the proposal actually increases the week between from one to three. So even if we lost that full week, or two and a half, we would still be more than where we are now. So the cleaning issue is not there, it's just—Roland, the concern I have is just in terms of the Gregorian calendar, if this is in fact going to work out and this is where the package issue comes in. If we go with Bill's proposal then really what we're saying is we do need to keep the summer session at a total length of 12 weeks. Otherwise we're going to get the squeeze between the two semesters.

COTE: That's correct. I mean if we start a week earlier, then we do have to abbreviate the summer session. The proposal that was originally before you had the summer session down to 12 weeks instead of—well, it's theoretically 14—but it's really less than that if you take a look at the calendar, the six week session is close to five and the eight weeks session isn't really eight weeks. So we don't quite gain two more weeks by putting that. We gain more like a single week. And I mean we can get everything done if we do this, but that means everything starts earlier. That means orientations, training programs, AI training programs, which are already taking up quite a bit of time, as soon as summer is over, the summer session is over, a training program will begin. There will be absolutely no break. And in fact, there will be no break going right through from (inaudible) you will be at 52 weeks except for our week two weeks at Christmas.

HANSON: We're kind of at our time on this. May I see if I've got the order of things right? There's an amendment to the proposal. Should we vote on the amendment and then vote on the whole proposal and then vote on the issue of the Labor Day? Is everyone okay?

CICCARELLI: Actually there should be more discussion, I'm sorry, but (inaudible).

DOWELL: Well, you'll remember that the positive vote on the proposal would be interpreted as a firm vote for Labor Day and an in principle vote on the rest of it which would then be discussed and pursued by all of the many units and it could still possibly be—

HANSON: Except there's first a vote on the amendment so that there's—

DOWELL: Right, but there's first the vote on the amendment so that change is first, yes.

BROWN: I thought there was some representatives here from other units...

GIERYN: There are, and I realize maybe they didn't feel the need to speak, but certainly Lynda Delph is here representing Biology and Randy did a ton of work on the Chemistry situation. I think it would be appropriate to give them a few minutes to just summarize their report, Karen.

HANSON: Do you want to?

ARNOLD: That's fine. I can just speak on behalf of Chemistry. The main problem with this proposal brought to us was that we would only have 13 weeks of instruction. 13 Mondays for instruction, during the fall semester and that compares to 14 days for Mondays in the spring and essentially 15 of all the other days in the spring. In the fall, then, you would have some days of the week that have 15 days, some that have 14 but going to 13 is very problematic. Almost every Chemistry lab course meets at least 13 times and we try not to meet on the week of dead week. We would like for that to be a break week for our students because they're preparing for final exams. So it's very difficult to only have 13 weeks when sometimes you have more activities than you can fit in those weeks and you don't want to use the dead week to do that. So for Chemistry we really need 14 of every day of the week. Then as soon as you start breaking up weeks that makes it problematic as well.

So let me explain what we can live with now. Now we can live with Thanksgiving being a broken week because it's the only broken week in the fall. As soon as you make one more broken week then that creates a problem for scheduling things, and that's essentially where the problem lies. There are also issues associated with the additional discussion sections that students sign up for. So a student might be in a Monday discussion section which under this new proposal if it were the way it's written out here that Monday discussion section would meet three fewer times by the eighth week of class than a Wednesday discussion section. And so then you have the option of either not providing instruction to the Wednesday section or just leaving the Monday section with less material. So pedagogically it's really difficult to have that many fewer of any given day of the week and I think that's a problem for other classes. Not just the lab sciences but for other classes as well. And I think that is sort of the summary of where the challenges are for Chemistry. And people will say that Purdue can do it and Purdue does start one full week earlier than we do and that's presumably why they can do it.

HANSON: Lynda?

DELPH: Yeah, thanks. I was actually waiting for Tom to call on me. I guess we can put together ramifications for Biology. I'm Lynda Delph, Associate Chair for Teaching and Director of Undergraduate Studies. We have over 1,500 majors so we use up a lot of classroom space and lab space and the consequences of these four broken weeks would be that considerably less material could be taught in the fall semester as compared to the spring semester. There's just no getting around it. In fact, if we had the start on Wednesday and the Labor Day break, then certain classes wouldn't be able to start until the third week of the semester because we have so many different sections of each class. We have 24 sections of 9 lab classes that are held on a Monday or a Tuesday. We go until 9:30 in the evening for a lot of our lab courses. We can't shift everything onto Wednesday, Thursday, and Friday. So the long term ramifications would simply be that less material would be taught for, let's see, 9 lab courses and 4 large lecture courses in the fall semester as compared to the spring semester.

HANSON: Diane?

REILLY: I think that one thing that no one has mentioned so far that we all are acknowledging without saying is that this change is going to be expensive. But if you look at where the expenses will lie and what will be the most expensive things to change, then, for instance, building new lab spaces is extremely expensive and so rearranging of the laboratory courses so that we can have the bulk of them on Wednesday, Thursday, Friday is not really going to have to (inaudible) the cost analysis. However, if we brought everyone back a week earlier and then we had to bring people back for AI training earlier, that also is expensive but it's something that right now we don't pay for. Because spring and fall SAA contracts are built for (inaudible) weeks. No one acknowledges the fact that we have to ask our students to come back early so that we can train them, and that's why training for our SAAs is so inconsistent all over campus. They pay us to come and get training for the jobs that (inaudible) for their education. If there were some system of grant giving or some way that core departments could compensate their students for coming back, they would be more willing to do it. But I think we all have to acknowledge that there are going to be expenses for this and figure out what the cheapest way of doing this would be. And certainly compensating humanities graduate students for being trained would be one of the cheaper ways to go.

CICCARELLI: My point is that we are talking about students and I appreciate greatly your sense of fun, but graduate students are students as well, and I think we have decided to make this decision unanimously, and I understand. The questions that were sent to me—again, I'm open to all solutions I want a fall break, a spring break, and a summer. Whatever. Actually I'm not really happy to begin working in mid-August because you know in civilized countries it's vacation time, but that's not an issue. I'm at Indiana University... (laughter) The point is there are some important financial issues, but there are also recruitment issues. No other university which are our competitors in the major humanities departments ask the graduate students to come so early. I think we may

lose some of our best graduate student applicants. Even if we say we'll give you \$1000 to come here on August 5th. And this, I know, may sound strange to you, but I think this is a concern of most chairs of language departments. And so to begin a week early, I'm for a fall break, I'm just reporting what I heard over and over by email in these past few days. And the other thing I want to ask is, if we have a fall break—two days—but we start a week earlier, where's the catch? Sorry. (laughter) Meaning we add a week of school and we have two days of break. Maybe I'm not a mathematician, but there's something there that doesn't work in my mind.

HANSON: I think one more comment and then we've got to get to the other issue.

TERRY: As you know, I did a small survey of faculty in one of the units of this Council. I was not surprised by the results except for one thing. I was surprised by the adverse reaction to moving the schedule up. Some of that in my survey was that it created another broken week, but clearly there were many other reasons why the colleagues that I surveyed did not want to begin earlier. They had to deal with conflicts with professional associations, they had to do with loss of research time, they had to do with a wide variety of things. And I was only asking them about what they thought about moving to Wednesday. Actually moving earlier could exacerbate that. I do not know.

GIERYN: Music has that problem with moving up.

HANSON: May I make just a suggestion and yoke this here in the last meeting of the year? We promised that we would vote on the Labor Day issue, but another proposal has been made, an amendment, but I do feel slightly uneasy that it hasn't been vetted in all the schools and so that may be something we need to do. Bill would you feel comfortable if that went back to the Calendar Committee and they vetted it? What I'm thinking is we promised an 'in principle' vote on sort of what it would be, whether or not people are in favor of the range of other changes. This is a change on one of those changes. Could it be one of the things that's examined in connection with the rest of the changes?

WHEELER: I'm not exactly certain what you're proposing.

HANSON: I'm wondering if you would be willing to—

WHEELER: So would we only vote on Labor Day and not vote on anything else?

HANSON: No, we'd have an 'in principle' vote on the other changes but your suggestion could be folded in and it could be one among the two explored about moving the start date back.

GIERYN: I think we need to explain the 'in principle' vote, with reference perhaps to Gen Ed.

HANSON: With reference to Gen Ed?

GIERYN: Well, because that's what we did with Gen Ed. We voted as I recall there was a... (laughter) ...sorry, that was a non sequitur classic wasn't it? (laughter) There was an 'in principle' vote along the way in Gen Ed. It was a vote to say, 'Go forward. Do more work. Examine more details. Talk with more people, and come back.' And I think that's what...

HANSON: Right, because I think what will be at stake here is I think everybody feels fairly comfortable with an up or down vote on the Labor Day issue. The others are bound together in various ways, because we have to find enough instructional days, we have to accommodate a variety of considerations about summer and so on, so you can't take it bit by bit. So if we could have the vote on Labor Day but then have a vote up or down about the wisdom of exploring this further; sort of are people in favor of thinking about other changes to the calendar including the ones listed here and perhaps folding in the amendment you made—or the suggestion you made—that it be pushed back even further.

WHEELER: So what we would be essentially doing is returning the proposal as a whole to the Calendar Committee—

HANSON: But with something more of a disposition on it.

DOWELL: Well, my sense is that we would not be returning it to the Calendar Committee entirely. We would be returning it to the Calendar Committee and to the relevant administrators on this campus to say, 'In principle, we would like to figure out a way to make this work.' Whether we start on a Monday, whether we start on a Wednesday, whatever else tweaking, because in the past we have gotten to this point and departments with very real problems have been able to, sort of, stop all consideration of it, and I think with this we're saying we want to vote in principle to figure out how we can get past some of those problems and maybe do this. Instead of having sort of an automatic veto that stops it at this point in the Council. And so that's my interpretation of an 'in principle' vote. It doesn't just send it back to the committee. It sends it also out to the relevant people on campus to figure out, can it be done with a firm date to report back to the Council by, say, October 31 of this fall.

HANSON: The views were expressed by some administrators in any case that even if the Council were to endorse all of this today, revisions two, three, and four couldn't be implemented for '11-'12 anyway. They would have to go to '12-'13. So the idea is that if the Council expressed its will on this, there'd be time to think about this and see what the implementation steps would be.

WHEELER: Well, may I remind the Council that actually you know we passed this 'in principle' vote three years ago and at that point in time we asked for a report by the following fall and—

HANSON: That wasn't an 'in principle' vote. That was a request. I looked at that, because I had to implement it. That was a request that a committee look to see whether a number of desiderata could be mutually satisfied and the committee came back with the finding that they couldn't be mutually satisfied. But it didn't say, 'come up with a constructive calendar,' which had those properties.

WHEELER: So in essence, there's an order motion which is to take the current proposal, put into it on number three, "start either on Wednesday or Monday," and to have that one returned or tabled for further discussion and to separate as a separate item of business the Labor Day.

HANSON: Except I think the one worry is that it's not tabled. I mean I think what the Agenda Committee had in mind was a kind of sense of the Council about whether or not these were provisions that it wanted to see the difficulties of implementing or the ease of implementing. Got that right?

DOWELL: I think so.

HANSON: Everybody, we really do have say...

BOLING: I just want to ask, following an 'in principle' vote and whatever happens next there is a discrete moment at which this body would vote again?

DOWELL: Yes.

BOLING: So it doesn't just start a train in motion and then kind of reduce the ability to stop it if things go awry?

DOWELL: Right.

HANSON: Any other questions or clarifications? Is everybody comfortable with that then?

SHOCKLEY: I don't know that I can vote in principle without knowing how it's going to be accommodated.

HANSON: Well, the idea right now I think is to separate number 1 from numbers 2, 3, and 4. For number 3 to say "fall semester classes will begin on either Monday or Wednesday of the week prior to class." It would be an up or down vote on number 1

and with respect to 2, 3, and 4 there'll be a sense of the Council that these were worth exploring with the relevant schools and administrators.

GIERYN: It might be easier to think of what a no vote means on the 2, 3, and 4 part of this. A no vote would mean nothing more would happen. The calendar would remain the same, and maybe we would even say we won't look at it for a long while. That's a no vote. A yes vote says, in principle, we think this has merit. We want more details because of Bill's amendment. We didn't look in as much detail as we did on a Wednesday start at a Monday start. We need more data on that as well as some more data from the deans on summer session. We didn't do a thorough, 'how many courses would you teach if you had 12 weeks?' to see whether we could get past the logistical problem. So, it may be easier to think of what a no vote means. A yes vote, since it was just established that we vote again in the fall, is really just marching orders to the task force to proceed—with enthusiasm, though—(laughter) to see if we could get...

DOWELL: Yes!

HANSON: Is everybody okay with that?

CICCARELLI: It's okay as long as we understand that there are many things that have not been discussed. For instance, length of summer classes which if shortened will affect some instruction of some disciplines.

DOWELL: Padraic?

KENNEY: Sorry, just a quick question. Is it possible then that if we vote yes on 1 and no on 2, 3, and 4, we will then have succeeded in doing what we really didn't want to at the last meeting, namely tell the state we've just given ourselves another day of vacation with nothing to balance it?

HANSON: That would be an argument against voting that way, yes. (laughter)

KENNEY: Thank you.

HANSON: Everybody alright with this? Everybody prepared to vote for this? Alright, we'll separate these things. And the first item to be voted on is that classes will not be held on Labor Day. All in favor? [Aye 39] Opposed? [Nay 3] Abstentions? [Abstain 2] The motion passes. Now with respect to 2, 3, and 4; 3 amended to say, "fall semester classes will begin on Monday or Wednesday of the week prior to the present first day of classes." What we're asking for is a general sense of the Council that these items be pursued more fully with the schools and the relevant administrators because we're interested in seeing them realized. A no would mean you would like the discussion of this to end possibly for a long time. [Aye 39] Opposed? [Nay 3] Abstentions? [Abstain 2] Okay, that passes as well. So this goes back to the committee and the schools and to

the other administrators. Now, let's take a very short break. Three minutes and come back for the last item.

BRIEF RECESS

AGENDA ITEM 8: CONCERNS ABOUT TEXTBOOK ORDERING

HANSON: Can we please pull people back to business? The last item of business today is a discussion about textbook ordering. There are concerns about the implementation of what is in fact a requirement of the Higher Education Reauthorization and Opportunity acts and we thought it would be useful to have Beth Cate who's associate legal counsel come in and talk about this issue and perhaps take questions from the faculty. So Beth, do you want to say a bit about it?

CATE: Hi, thanks to everyone for the invitation to come and I am happy to answer questions. I can just describe briefly the law and then I gather there are some questions about implementation which I am happy to answer and I know Roland Coté is here as well and may be able to answer some and can certainly correct me where I go astray. As the provost mentioned, Congress passed a law in 2008 the Higher Education Opportunity Act and it's a part-reauthorization of a variety of higher education federal laws and a lot of changes and additions as well. This was a big omnibus piece of legislature involving higher ed. It's not specifically focused on textbooks, but one of the sets of provisions has to do with textbooks and responded to concerns that were being voiced pretty extensively to Congress about textbook prices and high prices for required materials for courses and making sure that students had information so that they could go and try to find the cheapest textbooks they could and to understand what the costs of taking a particular class would be so that they could make an informed decision about enrolling. So that's this particular set. This set of provisions that Congress enacted into law, Congress specifically said, 'Department of Education, you may not write any regulations about this. It's clear on its face so just go ahead, go forth and implement.' And the relevant provisions, some of these have to do—and I think copies were distributed to you all so you can take a look at them—but some of these have to do with obligations that are placed on publishers of textbooks and information exchanges they need to engage in. The provisions that apply to the university, they are in the subsections D and E in particular, and basically says to the maximum extent practical, each institution of higher education that receives federal assistance like we do has to disclose on the institution's internet course schedule and in a manner of the institution's choosing, ISBN numbers, retail price information for required and recommended textbooks and supplemental materials for every course that's listed in the course schedule. And it makes some provisions for if the ISBN number's not available, you can provide some substitute information like the author and the title and so on...and if it's not practicable to list certain types of information at a given time, then the institution can indicate that to be determined. And that's essentially—and there's very little legislative history accompanying this provision—but to the extent that Congress said

anything, that was really intended to reflect the fact that faculty are going to make some late decisions on what course materials they're going to require. And so it takes account that we might need to populate those data over time as people choose what their materials are. With respect to subsection E, it says, "An institution of higher education that gets federal assistance,"—again, like us—"shall make available to a college bookstore that is operated by, or in a contractual relationship or otherwise affiliated with, the institution, as soon as is practicable upon the request of such college bookstore, the most accurate information available," regarding the course schedule for the next academic period, for each course or class, the textbook, required textbook information and required materials information that I mentioned just before, the number of students enrolled in such course or class and the maximum student enrollment, as well. So those are the requirements on IU and they are requirements on IU because I think some questions may have arisen about what individual faculty have to do with respect to providing information on required materials. As I read these provisions, what individual faculty instructors need to do is to provide the data that is required within here either to the campus bookstore or to provide it to other university officials who can supply those data. My understanding just from conversations with the Barnes and Noble folks who operate the IU Bookstore is that they send around sheets to the departments and departmental secretaries gather up these data. Some faculty I think go directly online to web forms they maintain and they do that in that way instead but that's how they gather up the data that are required under here. There may be other ways to do it, but from a legal standpoint, my concern is to make sure that the data actually get there so we're complying with these laws. With respect to the link from our course schedule—and here's where Roland particularly can correct me if I go astray—but my understanding is for the last eighteen months or so before this law really came into effect—and it doesn't actually come into effect until July, I should mention, it comes effective July 1, 2010—but before this was on the horizon, I gather there had already been a place and has been for the last eighteen months, a Onestart application where students can go in and for their schedule they can already get to through a link to a site that's maintained by Barnes and Noble and feeds from their database of required textbooks what their required book information is. They can take that information and pretty much go anywhere they want and go find the books that they want to purchase. So that's how I think it's been operating and when this came into effect that's the way that we're going to comply with the subsection d of this requirement. We're already doing it essentially with a disclaimer to alert students that although Barnes and Noble is providing this information as a service, they don't have to buy their books from there. They can go anywhere they want. And the purpose of the law is to allow them to go anywhere basically to get the lowest price. I mean low price is clearly the driving factor and purpose behind the law or at least that's what Congress anticipates is going to be a motivating factor for students. Obviously, data can be provided to anyone else as well. I know there are other bookstores in town. There are bookstores on campus. I guess the fine arts bookshop or Friends of Art bookshop and there's no question but that they can get those data too and in fact they do get it. I mean, TIS as I know and some other folks as well who operate book exchange services

go to the IU Bookstore, they did it before Barnes and Noble was operating it, they do it now, and the bookstore provides them with book adoption data that they get. They basically—under our contract with them—they provide those data as a means of alleviating the university from getting a bunch of open records app requests which we then have to go to individual faculty members and others to fulfill. So that's the scheme as I understand it. Roland did I stray?

COTE: No, that's correct. And I'd just like to point out one of the flyers that you have is actually the path that the student takes—or anybody can take, this is a public path—from the schedule of classes—they all have their own schedule of classes—to SIS into the bookstore. Basically what you have here is there are four screenshots. Number one is the results of a search for Business K201. And I only printed the first screen, I didn't scroll down. There are several sections there. But you see the first screen and then you have the oval, the little red oval, indicating details for that particular section. There are probably twenty sections here. That's the first one. If you hit that detail button, you get the next screen which is number two at the bottom of that page and there you have detail for that particular section of K201, a little more information. On that detail screen there is in green the "view/order textbooks." Push that button on the page and you get screen number three. Screen number three indicates this will take you to the IU bookstore which is operated by Barnes and Noble where textbook and price information will available. This is what's actually making us really compliant with the law. Basically we are providing, through the schedule of classes, a means to get to the price information all online. Hit the go to Barnes and Noble website and then you get number four which is the list—and there again I only printed the first screen—there are two more books by the way for K201 than what you see. There are quite a few books. It's an expensive course. And then you have an option. I mean, you can click the list of books if you want. You can order if you want or you can just keep it in a shopping bag and come back until you're finished selecting all of your courses. You have several options that the bookstore's offering. That's how it works in registration.

HANSON: Mary?

GRAY: So when I saw this my biggest concern, as someone who purposely uses Boxcar Books here in town for courses to specifically be able to engage my students the first week of class, as somebody—I'm a media scholar—so to be able to engage my students in a discussion about the flow of information, distribution of information, was that the interpretation of how to implement the Higher Education Opportunity Act forecloses that conversation potentially. I'm not saying it necessarily means that all my students will run to Barnes and Noble to buy their books, but particularly now seeing the walkthrough of these screenshots it's fairly clear to me that *de facto* most students will not just be shown their list of books, but be shown a specific vendor to the exclusion of any other vendor that I, as a faculty member, have chosen as part of my pedagogical practice. So I would say I absolutely support distribution and disclosure of the information about textbooks, about assigned texts, absolutely support that, but I have

with me a petition. Over 300 faculty members have signed just within a week and a mixture of graduate students, faculty members and undergraduate students whose concern is that to create a gateway that—literally a portal—routing them to Barnes and Noble university bookstore as the place where those opportunities to buy books are at exclusively will shut down the intention of this Higher Ed Opportunity Act which is to give transparency to options. So there will certainly be students who are savvy, who will get, ‘I can take this list somewhere else. I can shop elsewhere.’ But in terms of practice, this really works against, I’d say, the principle and the spirit of the law.

CATE: Well, I I guess I would say I think that this disclaimer and this process here is compliant with the law. Are there other ways to do it? There may be. I have maybe a return question for you which is, I’m not sure I’m following in terms of the placement with Boxcar as a pedagogical tool. And I don’t want to misunderstand that or misread it because you’re not saying, right, that you are saying to your students, ‘I am choosing Boxcar Books as the location for you to get your books, and you must purchase them there,’ because that’s not legal.

GRAY: By no means, because I’m saying this is the distributor in the same way that any faculty member can choose the distributor of where they’re going to list their texts. But my students get the ISBN numbers. They get all of that information from the syllabus I provide for them now. So the first week of courses, most of my students—maybe a couple—most of them do not run out and buy their assigned books, because they want to check what exactly is going to be assigned in class. For the few students who want to go ahead and buy their books, I’ll provide that information on Oncourse and that’s available to them. My concern would be for, particularly, freshmen coming in, you know, onto this campus. If they see this, their assumption is ‘this is where I’m supposed to buy my books.’ So in terms of implementation, even with this window that has a disclaimer, if we choose to create a portal that lists all the other places that they could purchase books that are provided right now by faculty, that to me seems to meet the measure of the spirit of this as opposed to, ‘I’m going to show you one location, but you go ahead and shop other places.’ I mean, I think an important part of what I try to offer my students is a conversation about where information is accessed, and this doesn’t allow this conversation as robustly as what my practice is now. Now, of course, I can provide this information to Boxcar Books, but this takes it to a different degree of change that’s going to not just make this information available to all bookstores in town or beyond, but route students in very particular ways.

HANSON: Pat?

HARBISON: I just, I have another issue and it’s because of the unique nature of my discipline. I’m currently teaching a graduate jazz history seminar where most of the listening examples are out of print and couldn’t be purchased through Barnes and Noble even if you wanted to. They’re on variations and they’re at the library, but the only way

I would recommend students buy them is because they're up on iTunes. How do we do that?

CATE: Are you talking about non-textbook materials?

HARBISON: I'm talking about listening materials, but they're required course materials, you know? I mean they have to purchase them from the iTunes store—download them to their iPod.

CATE: MmHmm, well I can take a look back at the text. I'm not really sure that was contemplated when they're talking about this. You know, Congress was really looking at sort of more traditional textbook materials and coursepacks.

HARBISON: But really, it's \$100 worth of iTunes downloads. You know? I mean, it's comparable, you know?

CATE: No, no. I hear you. So maybe you specify and there may be other options for them to do it, too. That sounds like something that frankly is not purchasable through Barnes and Noble or any of the bookstores that I know anyway.

HARBISON: Well, and it's because it's individual pieces. Even if they could procure CD copies, it's not anthologized. They'd have to go buy forty CDs at Barnes and Noble, you know?

BROWN: I find this kind of obscene, actually. But I certainly hope we really won't pay for (inaudible) at Barnes and Noble if we're going to do this. But actually I really don't know here. I don't like the idea that we're a front for a commercial entity that's going to follow all the students to potentially buying their books there. It may be compliant, but it's not in the spirit of the law.

HANSON: Peter?

SERVAAS: Is there something in the contract with Barnes and Noble that would restrict us from allowing competitors to be in there as well? You know, if you could open it up to Boxcar and they could list their books as well? Is anybody aware?

CATE: Open up what to...?

SERVAAS: This link that supplies, you know, maybe there could be a link that has options for where to purchase the book.

CATE: I don't...I'd have to look back at the contract. Offhand, I'm not sure there's anything in the contract that prohibits this nor is there anything in the legislation that does. But in terms of just identifying the locations for where people can get books and

of course faculty can continue to identify options for students. What I had been alerted to which, I think, if it is happening—which it may not be but this is the information that I was given—is that some faculty, because of their preference for having their purchases go to other local vendors or other bookshops, were refusing to supply the data in a way that could get to the campus bookstore. And I don't read these provisions as continuing to permit that if that has been happening.

HANSON: Diane?

REILLY: There are a number of bookstores on campus that are not the Barnes and Noble bookstore and of course probably the best one known is the Friends of Art bookstore which is a campus-affiliated bookstore and it's a nonprofit bookstore that over the last thirty years has given well over \$300,000 to the School of Fine Arts, the biggest fund raiser we have. And given that it is a university affiliated bookstore and if there is no clause in our contract with Barnes and Noble and it would be really disturbing if there was, wouldn't it be possible to make a link to other university affiliated bookstores as you were suggesting? Because this is a university-affiliated bookstore and it seems to me that there should be a way for other bookstores on campus that could allow those to be venues for information as well.

CATE: I'm probably not the right person to direct these questions to, because you're asking operational questions that don't have as much to do with what the law requires or provides as how we're going to meet it and how that's going to operate, so I don't know if others want to jump in, but...

COTE: I can't really respond to say how feasible that is. I'm sure it's doable. I don't know how expensive it might be, and I don't know to what extent one of the bookstores TIS, for example, may be prepared for this or may want this. Boxcar, I don't know. I'm not that familiar with it. What exactly do we do, you know, on this disclaimer page for example? Do we have links to other bookstores as well?

GRAY: Sure! Why not?

COTE: What will that bookstore display?

UNKNOWN FEMALE SPEAKER: What about Amazon and all the other people?

GRAY: If we can make the same—I'm sorry to jump in—but I can see some possibilities here that on this flash screen that says this will link you directly to, etc... This white big screen that has one link, we could have a list of all the links of bookstores the faculty...

COTE: And what will those bookstores display?

GRAY: They can choose to display whatever they might display related to the ISBN numbers of courses that are working with them to distribute books?

COTE: But then—

GRAY: So right now, I provide all of the textbook information to Boxcar Books. The expectation would be that they're on this flash screen that they've provided all that information with links to books that the students can buy in the same way that Barnes and Noble does here.

CATE: Can I just add one point on that, though? And that's that the underlying purpose of the law and the little commentary we have from Congress is that however we implement these provisions, it has to get information to students in a timely and very easy and user friendly way. So, like I said, there may be lots of ways to do that, but some students may feel that being able to go to a place where they can literally get everything in one place, all of the required information for all of their classes in one place, is the kind of easiest, timeliest way to do that if they're clear and it just depends on how savvy you think students are and how we pose that to them that they can then take that and go look for another bookstore's website, or physically in the bookstore, for particular materials that are listed there. My concern would be to make sure that the information is able to get to students in a very easy and timely and clear way.

HANSON: Herb?

TERRY: It seems to me that much of this may be governed by the contract and we don't seem to have anybody here who's an expert on the contract.

HANSON: No, no. We do, we do have an expert on the contract.

TERRY: Oh, is Neil back there? Okay. Then let me make a comment and let him respond. It seems to me as if what we did here was decide that we would subcontract the IU Bookstore to Barnes and Noble the statutory requirement to collect all of this material and essentially make it available to students. What others are arguing that that privileges that particular vendor and not others and undercuts your pedagogical objective of showing that there are multiple ways to get to information. My question for Neil, I guess, would be is there anything in the contract that we have signed that would prohibit us from modifying this system so that there's a page that comes up and says, here's your ISBN information? You may order this from any bookstore you wish and stops there.

HANSON: Neil?

THEOBALD: How is that different than what happens now?

TERRY: They can't get the textbook information until they're on the Barnes and Noble page. That's the difference.

THEOBALD: So you're saying it would be an IU hosted page?

TERRY: Yeah, is there anything that prohibits us from setting that up?

HANSON: Well—no, go ahead...

CATE: No, I was just going to say that the one thing I would say is—Roland's jumping in here too...

COTE: Not all materials have ISBNs by the way. Okay? The IU Bookstore does put together materials that are not classified that way—that will not have an ISBN.

TERRY: But we could also do that if we chose to—?

COTE: The other issue is that Barnes and Noble, or the IU Bookstore, collects all this information—

CATE: —that's what I was going to say—

COTE: —and they aggregate all this information and that's a service that they are providing.

CATE: We used to do...I mean, this is the IU Bookstore. Now it's run by Barnes and Noble, it used to be run by IU. It's actually with apparently one exception all the same people who were IU employees beforehand. We—I know—we obligate them under the contract, to collect all of these data and to maintain a database which is exactly what feeds this information onto this list. So I think, Herb, if I'm understanding you right, what you're saying is would there be anything to stop us from completely duplicating that effort here at the university within the contract? Maybe not. I would say the contract requires us irrespective of this law, I mean I don't think we can obligate a partner to do something and then not give them the data to do it. I think the question about whether we duplicate those data and all of that is more of a cost one and why if we're contracting with someone to already do this, why would we take on the cost of doing that because I assume those costs are going to show up somewhere to the detriment of something else. So...

HANSON: Jack?

RAGLIN: It would seem that if the purpose of this is to ultimately save students money then some sort of system where not only they can see the other vendors, but prices

would be the most effective way of achieving that? Unless some enterprising student comes up with a way of setting that page up...?

HANSON: Neil, do you want to come up and talk about any of the issues?

THEOBALD: The contract did not envision something this specific.

CATE: It's like three years old so it predates this.

THEOBALD: There isn't anything in the contract that deals specifically with these types of issues.

BROWN: Well, I mentioned before but I want to ask again. Are they paying us for us to provide this link to their site? Because it's very valuable.

THEOBALD: Do they pay us to view the IU website?

BROWN: No, no. For us to provide on our schedule—our course schedule—a link that pretty much students can go on their site so that they can buy from them...

THEOBALD: It is our choice. Those of you that know this better than I do, yeah, I believe it's our choice to use an existing database to meet a federal requirement. I don't believe they came to us. It's the other way around.

CATE: But they were also doing this before I think, right? I mean, that's...

COTE: The IU Bookstore has been doing this for years. They were doing this with the legacy system as well back before 2004. They were doing this in the early 2000's and actually in the late 1990's. They were maintaining this. They've been collecting the information from departments for as long as decades. And we actually had links to that information before Barnes and Noble. I mean, we had links to the IU Bookstore even through legacy from our legacy process going into the IU Bookstore to get this book information. And it was just the fact that now we've contracted with Barnes and Noble—they're still to us the IU Bookstore—we just went ahead and took advantage of the fact that they are collecting the information, that it is part of their responsibility to collect the information, and, in fact, they agreed to also now go out and collect the ISBN which was not part of the information they were collecting before. So they are making it much easier for people to dump a list from the bookstore and then search elsewhere for a better price. And students have been doing that by the way for the last several decades as well. We have thriving bookstores. I don't know about Boxcar, but we have another major rival in town and they do quite well! They do quite well.

DOWELL: Could I ask a quick question? Just do we know if people did want to talk about how this is implemented, talk about what this interim kind of page looks like, who would that person be?

COTE: I...you know, it depends on what when you say...The page?

DOWELL: Yeah, who's in charge of this page?

COTE: When we're talking about the page we can talk to there are, you know, the SIS group or the Student Enrollment Services group that develop the page. I'm, you know, part of that team that developed the lookup. Now, how we came about to the decision that we would use the IU Bookstore, I don't think it was a major decision...

DOWELL: No, I mean but if there were a middle ground to be pursued in what the statement of things on this page...

COTE: I would be the person to talk to.

DOWELL: That's just a side comment since we'll be running out of time soon.

HANSON: Bob?

NOEL: I just have a comment. And I agree with what Geoff was saying, and the comment really isn't constructive (laughter) but I just wanted to step back and say that this is the point. The law is about, you know, saving people money. The law should be about stop cranking out the 14th edition of an economics text when all that information basically is out there and we're all capable of conveying information to our students. So this kind of misses the point. I'm not bashing any Indiana University people. Everybody worked very hard on this, but if you want to address the problem, you know stop charging \$140 for a finance textbook.

CATE: Just to comment, actually if you look at the text law, the law does actually try to get at that in some of the provisions that it directs to publishers because it obligates them to tell faculty or whoever's in charge of adopting materials for a course what the difference is in the content between the last edition and the new edition and all of that. And conveying prices, it requires them to disaggregate books and supplemental materials that go with it. So I think that the concerns you're raising were very valid ones and Congress was worried about that too. So that's part of this.

D'AMICO: One of the problems that the people pointed out is that, you know, that Barnes and Noble is collecting all this information: course, ISBN, prices, and collating it. Maybe it's just my department's different, but in political science when we put textbook orders forward we provide the ISBNs ourselves and all this information. So is it simply

that they aggregate this data for us? It's not...it doesn't seem like they actually collect it, because I already collect all that data when I send my textbook orders in.

CATE: The one thing I can just tell you from my conversations with Barnes and Noble—not so much about this law—but we've periodically gotten records requests and things and they help us with that is that they say you guys may be particularly good about this in your department. I think it varies across units and that they also do independent checks because editions can change, ISBN numbers can be wrong. I gather from what I'm told, they basically go in and revalidate all those data. And for a number of people it may be outside Poli. Sci. but they don't supply all of those items of information, so they fill in the blanks.

BOLING: I'm not sure how productive this comment is either, but and I deal mainly with graduate students but I will tell you that people who are used to looking up online and getting instant price comparisons for their airline flights or anything else that they want to buy, regardless of what we think of this, I believe the students are going to complain heavily about this. Because this is not an easy way to find the lowest price for your books you need to order and this is actually a very cumbersome way to do it to be sheltered to one source and then have to cut and paste in other windows or whatever else you use (inaudible). I don't actually know that this is going to be satisfying.

WHEELER: Changing topics slightly, returning to the law itself: section 133b definitions item 4. There's a definition of custom text book. In scanning this, I haven't been able to find any reference to custom textbook other than the definition and yet this custom textbook is significant to many faculty members. Are there any provisions about custom textbooks anywhere in the law other than in the definition? As a custom text book?

DOWELL: Yes!

CATE: There is, I thought there was a reference...

DOWELL: Right before the highlighted portion. The two lines right before the highlighted portion address custom textbooks.

CATE: The publisher, yeah that's right. They need to provide information required about their custom textbooks. This has been actually—among sort of the university council listservs—this has been an item of some discussion as well. Both because the definition itself is perhaps not terribly helpful and there's some question as to whether it's intended to cover course packs or something different from that or both. So I think my understanding is that the practical way that we are dealing with course packs, at least—and I assume custom textbooks too—is to provide as much of the data that we can about those. They may not have ISBN numbers, especially if you're talking about course packs, but authors, titles, the material itself, we try to put that out there in as much of a form as we can to comply with as much of the spirit of this law as required.

WHEELER: Now it says the publisher and so when the publisher—that's part of the application to the publisher—and a publisher is necessarily a person, an entity that's indeed affecting interstate commerce. So many of those things are put together by Maxi duplicating and things like that.

CATE: Right.

WHEELER: So is IU for that purpose a publisher?

CATE: Is IU in terms of like class packs and things like that? Well, you know, I mean, arguably not. I mean this reference to interstate commerce is the hook that gets Congress the authority under the Constitution to be regulating in this area, but that's has been one of the questions; what do people do about course packs? You know, are we really required by this, but I think here and certainly based on my conversations with colleagues at other schools I think people have just simply defaulted to saying, you know, what can we provide students by way of data? We want them to understand what the costs of the course are going to be going into the class and that would include what would be the cost of a class pack if that's what the materials are that are going to be required. And so let's get those data out there to them whether this sort of scheme and the way it was drafted with the usual tremendous drafting skill of Congress—are we on tape? But basically to say, 'look let's provide that information because that way at least they can make the decision that this is really focused on.'

HANSON: Alright.

GRAY: I know we're running out of time, so I just want to clear a path to what to do with folks who do object to this to stop it from moving forward because I feel very strongly that this is not the way to facilitate the transparency of possible costs for classes so I'd like a really clear sense of how to stop this?

CATE: Can I just....make sure I'm clear about....well, I just want to be clear on because there are two separate provisions of the law and to be quite honest with you, the one provision that I probably focused on the most when this came out was (e) because of the concerns that had been raised with our office about faculty. Some faculty simply refusing to provide information to IU Bookstore—when it was run by IU—and Barnes and Noble. Again, I don't know independently whether that has been happening. You know, I have reason to believe that people who were talking to me were lying to me. If that is happening you can't stop it. In other words, that cannot continue. Those data have to be provided to someone at the university who can get it to Barnes and Noble in a timely way.

GRAY: So let me reiterate: I would like to learn how to stop the interpretation of this implementation. Because I don't object at all to providing this information to students; I

absolutely believe in providing this information to students. So I understand your concern and I have to wonder how many faculty might be withholding that information because of their concerns of, kind of, privatizing this information but what I'm concerned with is stopping the implementation as it's currently interpreted. So that's what I want to focus on. I feel no animus to you, I just know that I have a strong constituency of folks who really don't appreciate this interpretation of an important law.

CATE: Right, I do want to make sure that you and everyone understands that there is nothing in here—and I think nothing in the interpretation or application currently as we're talking about this—that precludes faculty from providing information directly to students in any way they want. It doesn't preclude them from providing information on alternative sources for where they buy their books. Nothing is—

GRAY: There's nothing that compels IU to give an exclusive link to the Barnes and Noble site of information. So to interpret this is what we're required to do is to provide a single link to a single bookstore even if it's our own is also—I don't see the requirement. Now, I know we can go back and forth. How do I stop it?

CATE: I'm just saying I don't think that anyone's saying it's a requirement that we do it this way. I think it's a choice that has been made to do it this way. I understand what you're saying is you prefer a different choice. That's fine. That's a policy debate for the university. But I want to be clear that what I am saying is not, 'This is a required method of implementing this.' What I think is that it is a compliant method of implementing this.

HANSON: And just one, I don't know, just one thing that (inaudible) wasn't a question of supplying the students. We are compelled by you to supply it. But we are at mandatory adjournment unless there is unanimous consent to...

GRAY: Can I get an answer to that question? It was actually meant to be directed to the two of you. How do we move forward in challenging this way of interpreting the choice to—

DOWELL: I think that you would get a group of people to talk to Roland about what that page looks like that is the place where you stop and say that this information is provided to you, but you don't have to buy it at Barnes and Noble. I think that's the most productive way forward.

HANSON: Are we...? We're adjourned then, thank you.

Meeting adjourned 5:35PM