

Minutes
Indiana University
UNIVERSITY FACULTY COUNCIL
March 9, 2004
1:30 – 4:30 pm
Walb Student Union
Fort Wayne Campus

Summary of Actions Taken:

The Council adopted amendments to the Conflict of Interest Policy and put in place an interim Policy on Conflicts of Commitment that will be revisited during the April meeting. A resolution charging the UFC Student Affairs Committee with drafting a new Student Code was also passed. The Council received a first reading of a resolution on threats to scholarly communication and a preliminary report from the UFC Educational Policies Committee on the status of admissions policies at IU.

Agenda

1. Welcome Remarks from Chancellor Michael Wartell
2. Approval of Minutes (5 minutes)
February 10, 2004
(<http://www.iub.edu/~ufc/docs/AY04/minutes/02-10-2004.htm>)
3. Agenda Committee Business (10 minutes)
(Professors Mary Fisher and David Daleke, UFC Co-Secretaries)
4. Presiding Officer's Business (15 minutes)
(President Adam W. Herbert)
5. Question and Comment Period (10 minutes)
(President Adam W. Herbert and Professors Mary Fisher and David Daleke)
6. Proposal to Amend Conflict of Interest Policy (Action Item) (15 minutes)
(Professor Ann Gellis, Associate Dean for Research Compliance)
(<http://www.indiana.edu/~ufc/docs/AY04/circulars/U5-2004.htm>)
7. Proposed Changes to *Code of Student Rights, Responsibilities, and Conduct* (45 minutes)
(Librarian Mary Popp and Professor Robert Yost, Co-Chairs UFC Student Affairs Committee)
(<http://www.indiana.edu/~ufc/docs/AY04/circulars/U7-2004.rtf>
<http://www.indiana.edu/~ufc/docs/AY04/circulars/U8-2004.doc>)
8. Preliminary Report on Admissions Policy Review (30 minutes)
(Professor William Wheeler, Co-Chair UFC Educational Policies Committee)

ATTENDANCE:

Members Present: Adam Herbert, Sandra Patterson-Randles, Ruth Person, Michael Wartell, Simon Atkinson, James Baldwin, Chris Bjornson, Erik Bucy, David Daleke, Mary Fisher, Cathy Ludlum Foos, Janice Froehlich, Ann Gellis, Dolores Hoyt, Elizabeth Johnson, Marilyn Kintzele, Anna McDaniel, Theodore Miller, Richard Nash, Michael Nusbaumer, Harold Ogren, Mary Popp, John Ross, Sarita Soni, Martin Spechler, Herbert Terry, Kizhanipuram Vinodgopal, David Vollrath, Richard Ward, William Wheeler, Nanci Yokom, Enid Zwirn, Paul Galanti.

Members Absent with Alternates: Albert Ruesink for Bonnie Brownlee, William Schneider for Patricia Wittberg

Members Absent: Charles Bantz, Bruce Bergland, David Fulton, Ken Gros Louis, Una Mae Reck, Michael McRobbie, Donald Coffin, Bernd Fischer, Kathleen Gilbert, Laura Ginger, Joanna Goldstein, Thomas Hurley, Peter Iadicola, James Patterson, Mark Pescovitz, Markus Pomper, Roy Schreiber, Robert Tarver, Jeffrey Watt, Casey Cox, Andrew Hutton, Grant McFann, Josh Runyan.

Visitors: Robert Yost, Co-Chair, Student Affairs Committee

[Tape recording for this meeting was very poor so some comments are not verbatim.]

AGENDA ITEM #1: Welcome Remarks from Chancellor Michael Wartell

HERBERT: Good afternoon.

WARTELL: Good afternoon and welcome. [Most of Chancellor Wartell's comments are inaudible on the tapes.] That makes this campus about a 650 acre campus. We're very fortunate, in case you didn't notice as you were coming in, we're almost in the geographical center of Fort Wayne. There are not many institutions that can say they have 650 acres in the geographic center of the second largest city in Indiana. We have a lot of room to grow and we will continue to grow. We have 12,000 students now and we are continuing to add majors. [Several sentences inaudible]. We have folks that serve on virtually every non-profit board in the city. We make sure that we are not engaged in the city, but married to the city. And we feel that's a very important part of what we do. We're only 40 years old so that means we don't have a whole lot of rich alumni to support us so we depend on our city folks to support us. And we set out on a 20 million dollar campaign two years ago and we are [inaudible]. We have a great future. Any questions about the campus that I can answer?

SPECHLER: I grew up not very far from here and I know that the Hoosiers in this part of Indiana think very highly and have for many years about IP-Fort Wayne. You are just continuing the great tradition here. One thing that has come up over the years though is the dual subordination.

WARTELL: I hadn't thought of that word in describing it.

SPECHLER: What?

WARTELL: I hadn't thought of the word "subordination" in describing it.

SPECHLER: Well, this is the one campus and probably everybody knows this here, the one campus that's represented here in the Faculty Council which is administratively part of Purdue. And Purdue has a different style of administration from IU.

WARTELL: I would be the first one to agree with that.

SPECHLER: Right. Now and sometimes, now to speak quite directly, we've been told by your representatives on the UFC over the years that as IU faculty members they have had some difficulty with that dual subordination. Would you like to talk a little bit about that and how if anything we can help you make sure our IU faculty members thrive here?

[Laughter. Chancellor Wartell looks at UFC reps from Fort Wayne.]

FISHER: He didn't pay him to do that.

WARTELL: To take what you're asking seriously and I had a discussion with your executive group, I'm sorry I don't know what the, the Agenda Committee—we had a discussion about that with the Agenda Committee earlier. I'll speak very directly too even with Adam in the room. I was part of the California system, I happened to do a lot of military consulting and to use a kind of a military term it's really great to be far away from headquarters. We're 135 miles from West Lafayette, I don't know exactly how far from Bloomington because I don't go there as often, but the point is that this campus moves on its own. We develop on our own. We feel fairly independent about it and if you look at many of our policies they are IPFW policies; they are not so much Purdue policies or Indiana policies. And we have come to that kind of accommodation over many years. An example that I pointed out to the folks earlier this morning was our promotion and tenure approach. At one time on this campus, I think I'm right, there were two separate promotion and tenure paths. Now we have a single promotion and tenure process and that process much more, is much more, is more similar to the IU process than it is to the Purdue process. I think that in general there has been great IU influence on the way we set up IPFW policies. On the other hand because this is a Purdue campus there are certain policies that are set at Purdue. And on those policies as they are developed, are developed in a way that is not in the IU liberal arts incredible amount of input approach. So that it makes it hard or uncomfortable for some folks at IPFW. And another example that Mike brought up today which is quite true is the, I was evaluated last year in the tradition of evaluation. And the President picked a small group of people and he said go out and do a good evaluation.

SPECHLER: President Jischke?

WARTELL: President Jischke. On the other hand I think Purdue would turn around and say you know we didn't have much input into the choice of the IUPUI Chancellor.

SPECHLER: True.

WARTELL: And IUPUI is an IU administered campus and as such IU has makes that appointment. I think that in general my approach to this campus has been that I believe that folks should be IPFW faculty. It's great to identify with IU; I think we get wonderful leadership, wonderful traditions from IU. I feel the same way about Purdue. But folks on this campus are IPFW faculty. And as far as I'm concerned that's the way we should look at ourselves. So that's what I encourage. Now to the extent that that makes people uncomfortable I'll take responsibility for that. But we need to develop a pride in this place that supports our students and our community and that's what we've done. I don't know if I directly answered your question.

SPECHLER: Well I always concerned, this is the second time that I'm here, we come here once every five or six years and it's delightful to be in Fort Wayne and to see this campus, I'd like to see some of the students.

WARTELL: Come at the right time.

SPECHLER: Is there anything that we as IU faculty members can do to make sure that our faculty members up here, who are pretty distant from us, nonetheless feel part of the operation and have everything that they need to thrive as teachers and scholars?

WARTELL: I don't know how to answer that question. I think Mike is in a better position as a faculty member to answer that question than I am. If you want to be frank about the whole thing I would say more money, more collaboration, those sorts of things. Collaboration is not something that's easy to do.

SPECHLER: Yes, you've emphasized that.

WARTELL: In many cases, individual departments don't particularly encourage a lot of collaboration. So you know I wish I could answer your question in an intelligent way. I don't think I can though.

HERBERT: Any other questions? If not Michael thank you.

DALEKE: I just have a quick one; I can tell you it's about 175 miles from Bloomington. I did the drive today.

WARTELL: Thank you; I'll put that in the database.

DALEKE: It may not be accurate; I had to stop for gas. But the question I had was about signage and driving up I-69 I was looking for a large sign that said IPFW and gave me directions on what exit to take and information like that and I noticed that there wasn't any but there was one for Ivy Tech. I was wondering if there are any efforts for putting signage on I-69 to identify IPFW and to bring it to people's minds as they regularly drive down I-69.

WARTELL: I don't know which I-69 you were driving on but there is one very large sign at the Coldwater exit that says Indiana University-Purdue University Fort Wayne.

PERSON: Doesn't it say IPFW, Coliseum, Ivy Tech, IIT?

WARTELL: There's one that says that too.

PERSON: There's one that says something else and there's another one.

WARTELL: And then out on I-465 right inside the loop there's also a sign that takes you directly in on State Road 37.

DALEKE: I was trying to avoid being crushed by trucks too so I might have missed it.

WARTELL: Well that's a serious problem with the new steel legislation just passed.

DALEKE: It's good to know that that's there.

HERBERT: Mike, thank you again very, very much. We really appreciate you being here. And thank you for welcoming us.

WARTELL: Thank you.

**AGENDA ITEM #3: Agenda Committee Business
(Professors Mary Fisher and David Daleke, UFC Co-Secretaries)**

HERBERT: We'll skip the minutes for just a moment and go to the Agenda Committee business, Mary?

FISHER: Oh, ok. Yes, thank you. We have one piece of business to come forward. Harold Ogren, where are you? Hi. The Agenda Committee was given a resolution that has been passed by the Bloomington Faculty Council and the UFC Library Committee, and you are co-chair of that correct, would like to have a first reading of this. Right now the language reads kind of Bloomington, we'll have to fix the language before next time. But if you would speak to the resolution and tell us a little bit about it. It's in your packet I think. No they don't have it. It's coming. It's coming. OK.

OGREN: While that's being passed out. The resolution is about, the title is a Challenge to Scholarly Communication. And although on the surface it sounds like a budgetary problem it's coming from the fact that journal costs are rising exponentially at the university. It really I think relates to access to information. At the Bloomington campus and I think this preamble will be updated for the whole university but the Bloomington campus spends about 9.2 million dollars in materials allocations and over 70 percent of that is for serials and databases. And its growing much more quickly than the cost of living. So this problem of course is not a problem that is new or exists only on our campus. There is a number of campuses have raised this issue and have passed resolutions in their faculty senates.

In October Santa Cruz, for instance, had a resolution particularly addressing the problem with Elsevier publisher which is rising rapidly and already constituted more than 50 percent of their database budget. Then in December Cornell University, you may have read about that it was much more in the press actually, also the senate passed a resolution that directed their university to cap the level of Elsevier publications at 15 percent. And in January Harvard announced that it was cutting 100 Elsevier publications. University of Connecticut had a similar resolution from their senate urging, in February, urging senior tenured faculty to reduce their support for journals such as Elsevier. And then Stanford just last week endorsed a resolution that essentially urged faculty to withhold articles and reviews from publishers that were engaged in questionable pricing practice. So it's something that is just beginning and growing and becoming a growing problem.

As this resolution we think begins to address that and even though Indiana, and especially the Bloomington campus and Indiana University is not so dominated by Elsevier publishing there are lots of examples in fact where for-profit publishing is beginning to dominate the scholarly publications area and we think that it's really time to do something about that. So the resolution if we want a first reading of it, the resolution basically says the following.

Scholars and their professional associations share a common interest in the broadest possible dissemination of peer-reviewed contributions. Unfortunately, it is the business practices of a few

large journals and journal publishers that threaten to limit the promise of increased access inherent in digital technologies. Therefore, the University Faculty Council

A) calls on all faculty, staff, students, and university administrators of Indiana University to work toward a more open publishing system by increasing their support of existing refereed journals and publishers whose practices are consistent with open access to scholarly communication and to support those who make such choices when considering tenure and promotion;

B) encourages faculty and staff to separate themselves from publishers with a narrow focus on profits at the expense of open scholarly publication;

So the first A and B are directed toward the faculty and what they can do. C says that we need education from the librarians. So C says that we call on the university Libraries to educate faculty, staff, students, and university administrators on the business practices of different journals and journal publishers and their impact on the health of scholarly communication and on our Libraries at Indiana University.

Then the second section of the resolution is really focused more on our librarians and our library system. Rising cost of journals and electronic databases are constraining the development of our library collections. Because access to the scholarly literature is vital to all members of our academic community, the University Faculty Council

D) encourages all faculty, staff, students, and university administrators to work closely with our librarians to find effective ways to maintain the excellence of our collections;

E) calls on librarians on all IU campuses to work together to provide the campuses with a rich and coherent array of electronic journals and databases at the most cost effective prices;

F) expects librarians to be aggressive in their negotiations with vendors and even to withdraw from negotiations where excessive price increases are demanded;

G) expects librarians to reduce significantly duplicate print/online subscriptions and to review and cancel subscriptions judiciously; and finally

H) supports Indiana University libraries in efforts to join with the libraries of other academic institutions to promote open scholarly communication.

And that was approved by the Bloomington Faculty Council on March 2.

FISHER: And my understanding also is that your librarians from around the system are in support of this resolution.

OGREN: They are. Suzanne Thorin has been in contact essentially with all of them and that's the information I get from her. And Andre DeTienne and myself are working on the new version of

this and also a handout that contains the information about the total university budget and the fraction of that budget that goes into serials. And that would be available for the next meeting.

FISHER: Right. And what we will do is post that online ahead of time.

HERBERT: Are there any comments that you'd like to share with Harold at this point? Ted?

MILLER: We did have a discussion at the Bloomington Council a week ago about getting some data about the expenditures. One of the things I think would be useful is if we are creating a somewhat different form of that data it would be really useful if we could identify these publishing companies and get a list together.

OGREN: Yes, and we are attempting to do that. It turns out to be more difficult than I thought.

MILLER: I'm sure.

HERBERT: Marty.

SPECHLER: Harold, I think you've identified a real problem which is the problem of rising costs and some of that may be due to the monopolizing activity by one or another publishers. I don't know Elsevier, but I've served on and I do now serve on an editorial board for a scholarly publication as many of our colleagues have and also was engaged in negotiations with such publishers. I think it's basically a responsibility of the organizations that sponsor the journal, as we do most scholarly journals I believe, to make sure that the prices are reasonable. What bothers me about this as an economist is the contrast between open, which I guess means low cost, and focus on profits at the expense of open scholarly publication. I guess what you mean is that journals should be published at the lowest possible cost. Now the problem is that our organization, as I guess like many others, found that negotiations are tough and we are trying to publish our journal at the lowest possible cost. And the reason is that we want to make it available to our members and to the people in my particular little sub-profession. But costs are going up. And I worry Harold that by emphasizing or attacking this or that publisher, Elsevier is a distinguished publisher, we're actually reducing the openness of scholarly publication because we have more and more sub-specialties in the academic world. And fewer and fewer of us are subscribing to it and what that means is shorter runs at higher costs and if you put the squeeze on them that means that publications are going to go out of business. And of course that is a direct attack on open scholarly exchange. I'm sure you don't want that.

OGREN: No we don't want that but unfortunately there are some major offenders in this area. Reed-Elsevier has been acquiring publications, many small publications, and now has over 1400 publications. And it's prices have been rising much more rapidly than others and it had a profit of over 1 billion Euros last year. It's a big, I mean what's happening is that scholarly communication is becoming very big business and it's becoming monopolized by a few giants that have bought up a lot of smaller publications. So in fact a resolution like this can have a direct effect on in fact helping the negotiations in the library. What happened in the University of California was after the Santa Cruz resolution the University of California was able to enter into a new negotiations with Elsevier and apparently got the prices way down—although they haven't

announced what the prices are. So in several cases I think that these resolutions have helped in the negotiations and that is actually one of the major reasons for a resolution like this is to give our support to our library system and to the librarians in their negotiations. They don't know what to do. They are not sure many times what the faculty's view is. Whether or not the faculty are perfectly happy with these escalating prices, whether they are completely oblivious to it or whatever. And I think a resolution like this lets them know that when they have to make the tough decisions that they will have the faculty to make.

HERBERT: Richard?

NASH: I'm thinking about the discussion at the Bloomington Council and I'm wondering if there's any interest in considering that this moves forward as a University Council, calling on the university to seek out partnerships with perhaps other CIC institutions, expanding and that is, to what extent do we want to make this kind of call to go beyond just the action of one university.

OGREN: Well there's already of course, the university does enter a number of agreements like that. I mean it would be nice to have the figures on that also but they are part of several large systems right now.

BALDWIN: Point H addresses that.

OGREN: Yes, in fact that was added at the time of the Bloomington Council meeting.

HERBERT: I take it you are open to the receipt of email messages for other ideas.

OGREN: Yeah. And I've been getting a lot of them. And there is by the way posted on the Bloomington site now we have the links to a business school study that's been done on cost per page of journals and the for-profit ones are sometimes four or five times higher per page.

BALDWIN: Just a footnote historically there was a study done by a physics professor at Cornell cost per page of physics journals, the comparing the non-profit publications with the commercial publishers and the difference was astronomical. And the commercial publishers one of them—no pun intended—one of them took the study and published the study in one of the American statistics journals and he was taken to court. And he had to spend a lot of time defending this so the economists take this very seriously.

HERBERT: OK, thank you very much.

FISHER: One other announcement, just to remind everyone about the President's Inauguration on April 15th and we're hoping that each campus will have maybe a bus load of people come down. So you as campus leaders if you can find ways to do that I know IUPUI is committed to having 3 buses. So find ways that you can encourage people to be involved in the Inauguration. That's all.

HERBERT: My sister will be there too.

AGENDA ITEM #4: Presiding Officer's Business (President Adam W. Herbert)

HERBERT: Let me just mention a few things for information purposes. First one of the things we're working on very hard right now relates to tuition and mandatory fees. We have solicited information from all the campuses and have scheduled a public forum on March 23rd. That will be convened on the IUPUI campus. Many of the Board of Trustees several of them will be there, some of them will be on conference call. But our intention at this session is to provide as much information as we can about the issues that drive ultimately the recommendation that the administration will give to the Board. We are looking at a number of things in this regard and I can tell you that there are, the administration does intend to make a recommendation and it coincides ironically with a letter that I just received from the governor in which he has asked all of the higher education institutions in the state, the public higher education institutions, to limit tuition increases to four percent. We had already planned on, or were planning, for an increase not to exceed four percent so that will continue to be the case. That also will apply to the mandatory fees.

The key of course on all of this is that we want the citizens of the state to understand the rationale for the increases that we do anticipate recommending. I'm not saying that they will be at the four percent level but we established that as a cap. But I think it is important for us to be as transparent as possible with regard to these issues so that everyone does understand what we're trying to do, why, and we'll talk about this not only in percentage terms but also in actual dollar terms so that it's clear that the recommendations that we're going to put forward while they clearly are increases are not as draconian as many might otherwise imagine.

The intent is to provide teleconferencing capabilities for this so that citizens as well as members of the university family can not only view the forum on the web but also to take part in the conversation through the various teleconferencing sites that will coincide with our campuses. We also are going to provide opportunities for email feedback as well. So that will occur on the 23rd. It's scheduled right now from 3 o'clock to 5 o'clock; it may extend slightly beyond that but that's what our plan is right now.

The next item, which is somewhat related to this is the operating budget. We're currently working on that, again working with each of the campuses, chancellors, and finalizing this. Incorporated into that will be the salary policy and other fringe benefits. And we will formally present that budget to the Board at the April meeting.

The last thing on my list is just to make sure that you know where we are at this point in time. the Lilly Endowment as you are all aware has committed 100 million dollars to the public higher education institutions of the state. We will be eligible for a little over 26 million dollars of that. Today at noon there was a briefing session for the universities conducted by the Endowment explaining exactly what the parameters are of that. I have had a conversation with the chairman there and one of the things that's clear is that they want us to make strategic investments in the institution. And so, again we'll have a clearer sense as to exactly what all that means, whether or not there are possibilities of endowing funds, whether or not they can be spent over multiple

years, those sorts of things. So we'll have a clearer idea of that this afternoon when I get back. But I just want you to know that we are in the process of collecting the information and we'll figure out in a little greater detail how we're going to operate in terms of the utilization of those funds when we get a clearer sense as to exactly what the Endowment wants to accomplish with them.

Those are the major items that I have on my agenda.

**AGENDA ITEM #5: Question and Comment Period
(President Adam W. Herbert and Professors Mary Fisher and David Daleke)**

HERBERT: Are there any questions of any of us? We'd all be happy to respond.

SPECHLER: Well I just have a short comment and then a question. The comment is that the percentage increase and the dollar amount might look rather fearsome to the average Hoosier but I would strongly suggest that you show people what a wonderful bargain an IU education is by showing them what it costs is Ohio, Michigan, Illinois, Iowa, Minnesota—to go to a comparable institution. And then, what the people of Indiana are contributing, which is rather modest compared with those other states. That would give I think a very clear message of what a bargain this has been.

Now my question is this, Adam. We have been advised of a number of task forces which I think as part of your process of listening and learning and I think that's a wonderful idea. Could you just review for us which task forces you have in operation so that we kind of have a run down of the issues and the personalities in play?

HERBERT: Yeah, there are two that will give me a report in April—one of them deals with Graduate Studies. And the second one, I just had a mental block.

RUESINK: Continuing Studies

HERBERT: Continuing Studies thank you. And again both of those reports are due April 1st. In the case of Graduate Studies they did ask that I circulate information to the university community. I've done that at their request so that they, that everyone would have a clear sense of what we're trying to get information on. And both committees are working very hard at this point.

In addition to those two I've appointed another that is not really a task force, it's a fact-finding group that is headed by Chuck Bonser. And what I'm trying to do there is get a clearer handle on some operational issues. One of my concerns, I shouldn't say concerns, one of the things that I am particularly interested in developing a greater understanding of is are there ways that we can be more effective in responding to the broader needs of the campus—cutting out red tape, eliminating road blocks that make it difficult to fulfill our teaching and research responsibilities. I'm also very interested in whether or not the university has followed up as has been recommended with regard to several efficiency issues. There have been 2 or 3 studies that have

been conducted and so my question is have we followed through on those. From what I read in looking at a couple of them, Arthur D. Anderson and other reports, there were some very helpful suggestions that I think ultimately could not only speed up decision making on campus but also there are some economic efficiencies associated with them. And so I've asked them to take a look at how effectively we have responded to some of those recommendations. I've asked them to take a look at RCM. There have been 2 studies conducted of RCM. I'm interested in whether or not we have responded to those. If not, why not? And are there observations that they would make that might enable us to think through more carefully the need for changes if any in that process. So those are the three right now that we're focusing on. I can tell you that I am looking at other aspects of the university as well—athletics in Bloomington for example. And I don't want to, the one lesson that I think we all learn in terms of change is that you don't want to focus on too many things at one time because then nothing happens. And so I've tried to pick two or three that I think are particularly important and then as we systematically take a look at a number of other issues going forward. And I think some of these studies will give us answers to potentially the need for further study in specific areas.

SPECHLER: Good.

HERBERT: Herb?

TERRY: I am the co-chair of Budgetary Affairs Committee of the Bloomington Faculty Council so I have an idea of what will happen on our campus with a tuition increase of no more than 4 percent—things will be very tight. So I have a comment and hopefully not so much a question for you but maybe a commitment to something. One of the problems at the campus level has been the rapid increase and rate of systems assessments. We kick back more and more money to run the system every year. And at the very least I would hope that in such a tight budget—I wouldn't want to put you in a bind that assessments won't go up by more than 4 percent—but I would hope that there will be a very close look at the system level at assessments and an effort made to keep them prudent and reasonable. And recognize that the ultimate goal I think of this is to pass money down to the campuses so they can do their research and teaching.

HERBERT: I am very sensitive to that issue and frankly that's one of the reasons I am looking at existing structures to see if there are ways that we can achieve efficiencies. One of the areas I think I've mentioned to this group I've talked about it is that I am very concerned that we do not have the kind of data collection capacity that we need to make more informed university-level decisions. In fact, neither the Bloomington campus nor the university have an institutional research unit. The only one in the university is at IUPUI. And so there is some data that's collected in the Office of the Chief Financial Officer and there's a little bit collected here or there. But in terms of pulling all this together to give us a comprehensive sense of where we are, where our potential problems might lie that we just don't know about because we don't have the data; there's a fundamental problem with that. So it's easy on the one hand to say well the answer is to tax; I don't want to do that. I want to take a look at whether or not there are efficiencies that we can achieve within the existing structure. That's one of the reasons that I have been very reluctant to talk about splitting off the Senior Vice President for Academic Affairs position from the Chancellor of the Bloomington Campus. Because the reality is that I'd have to increase the tax in order to do that. Now there are other reasons for that that go beyond

that particular point but I think I just say that just to make the observation that I understand what you are talking about and I am sensitive to it and we will do our very best to be respectful of that critical need.

Are there other questions for the three of us?

AGENDA ITEM #6: Proposal to Amend Conflict of Interest Policy (Action Item)
(Professor Ann Gellis, Associate Dean for Research Compliance)
(<http://www.indiana.edu/~ufc/docs/AY04/circulars/U5-2004.htm>)

HERBERT: Let's then go to the item six on the agenda and Ann would you mind introducing this issue for us so that we can engage in a conversation on it.

GELLIS: Yes. I'm going to repeat some of the material that I went over at the last meeting because I think it's important to know and to recognize what it is we are trying to do, what we are not changing, and why we are doing this. And I would say before I go too far that you all know that I wear the proverbial two hats. Whether it's in my role in the Research Office where I mainly have been working on this draft in that capacity; or whether it is a matter than when I'm in the Faculty Council in Bloomington or at the University Faculty Council, my position is that we make policies and make decisions that are best for the university as a whole. I firmly believe it.

So we are looking, at least when I am drafting the policy on financial conflicts of interest or making revisions, we are thinking, or the people that I work with, of what is the best policy for the university. We acknowledge in the policy that campuses can have procedures that will differ depending on the nature of the campus—it is true in the existing policy and it will be true, it is not touched by any of the revisions. So that the campuses have latitudes on how they want to structure implementing the policy.

Having said that I think it is important, and particularly with respect to financial conflicts of interest, to the extent to which we want to encourage cross-campus research in particular and interdisciplinary research across campus that we are all working with the same rules. That is, it is not possible to have one campus where one researcher is subject to one rule with respect to financial conflicts of interest and the other campus has a lower threshold or a higher threshold or doesn't have to report this and the other one does because that is, in the end, going to lead to confusion and perhaps conflict, but it's going to be discouraging for people to work together. And I think that is why we have the policy set at this level with a certain amount of latitude left to the campuses.

Having said that let me go through again what the intent of the policy that was passed in 2000 is our experience with implementing that policy, and why we have revised it. The 2000 policy was adopted by the faculty governance and the Board of Trustees as it has happened at every research institution across the country, in response to NIH and NSF's adoption of regulations in 1996, I believe 1996 and increasing regulation and oversight by the federal agencies of the issue of conflict of interest and the use of federal monies in research. The federal government and I think

over time basically the Trustees of universities and researchers themselves realized that to the extent to which you have financial conflicts of interest that come to light after you've done your research and published something that it casts doubt on the objectivity of the research. It ultimately undermines the public trust in university research.

The policy that was adopted by IU basically did one thing. It said you know we have these policies that we must enforce, with respect to NIH and NSF, any time we have federal money we must ask our researchers whether they have certain financial conflicts of interest that meet the federal test. Essentially what the 2000 policy says is that we think it's a good idea to do that whether or not the research is funded. That is we should be similarly concerned with public perception of the research done at IU if there are financial conflicts of interest. What we have is basically the use of the federal regulations—we use the federal definitions, the federal threshold, and the federal test as to whether you have a significant financial conflict of interest that must be monitored or resolved or in most cases simply disclosed. So what we have done here at IU is said we are going to take the federal rules and regulations and we will apply them to everyone, regardless of funding. And I think that is what was intended. The policy itself was drafted in very broad language and this is where we entered into some problems, or we had some problems.

One is that it applied to all employees. So by its terms it applied to staff and faculty and everybody in between. And clearly, I mean, trying to figure out whether someone who has a staff position in a school, perhaps you know whether they have a financial interest that's going to effect their research, teaching, and service didn't really make a whole lot of sense, especially if what they were doing had nothing to do, if they were a filing clerk or custodian or whatever. So it was clear that to the extent that even though this talked about employees it was really focusing on those activities that academic appointees are involved in. So we're talking about faculty, research associates, post-docs, graduate students, and perhaps undergraduates as well. But we're not talking about non-academic appointees. So what we've done is removed the employees and now the number of people who are covered. Dan Rives, the head of Human Resources, has in fact enacted and I think they were approved by the Board of Trustees, Conflict of Interest and Conflict of Commitment policies for non-academic staff. So they will be covered under those specific policies.

The second problem that we discovered and became immediately apparent the first year that we implemented it was that the policy speaks to, applies the definitions from the NIH which relate to research and applies them equally to research, teaching, and service. And that means that essentially even if we only limit it to academic appointees that basically every academic appointee would have to follow significant, you know Conflict of Interest policy. And so let's say on Bloomington looks at the Conflict of Interest annual reports that are followed by Bloomington and by faculty members on the regional campuses.

[End of Tape 1, some conversation lost].

To have conflicts of commitment, which was also included in the 2000 policy, is confusing and clearly in the wrong place. I would also have no idea whether someone was meeting their service obligations in their department. But more than that when we thought about it, and I will say that I worked with Vice Chancellor and Associate Vice President Brenner on the Indianapolis campus

for 2 years in drafting the revisions in which he was wholly in support of at the time, that what we were interested in from the Vice President for Research was basically having a system that was effective was to ask the question do you have outside financial interests that would effect your research. It seems to us, and I've thought about it quite a bit and there may be some particular case that you can come up with that doesn't fall in any category, it's half financial interest and half conflict of commitment and it's not this and it's not that.

I do not think, even though I'm sure people can come up with those examples, that we ought to have a policy drafted so that 4,000 or whatever add the Indianapolis campus, nearly what another 3,000, so that 7,000 people have to do something and I and my counterpart at Indianapolis have to look at 4,000 applications to catch the one thing that perhaps is out there that is not captured. It seems to me that we have enough policies and enough administration to be able to deal with those separate issues or those odd situations. I mean deans have enough power to be within their basket of powers to be able to sit down with a faculty member and say hey wait a minute this doesn't make any sense. So this is drafted with the notion in mind that it should cover what we are mainly concerned with in research and that most of the issues that come up in the teaching and service area are not financial conflicts of interest, they are conflicts of commitment. Those are situations where you have a faculty member who is spending 90 percent of his/her time in the flower shop that he/she owns or you know running around and consulting with companies and earning money in addition to teaching at the university. Those issues as to whether a faculty member is meeting his/her obligations for teaching and service, and research in the sense of whether they are contributing to the university in that respect, are the obligations of the schools and the deans, and ultimately what we thought was oversight by the vice chancellor on the campus for academic affairs or on the Bloomington campus the Dean of Faculties.

The Conflict of Commitment will not go away. I have a draft here for a policy on Conflicts of Commitment; it was taken nearly word for word from what was in the existing policy. If this will be passed I hope, we are not eliminating. So for 99 and 9/10 of the situations that we give concern about we are covered between the conflicts of financial interest with respect to research, the conflict of commitment with respect to in essence research, teaching, and service. There are other conflict of interest rules that apply to us. In the area of teaching specifically the area of conflict comes up when faculty members or teachers use their own materials. Under state law, which is reprinted in the academic handbook and is a part of the existing policy and exists in the Academic Handbook under State Conflict of Interest Laws—and it tells you exactly what the statute says—you have to report whether you have received \$250 or more of royalties from your students from the use of your materials. As I said, out of 4000 odd forms that I saw last year and the 4000 that I saw this year, the extent that we have financial conflicts of interest with respect to teaching they come up in that area. That is an issue of state law. It is important, that law does not go away. It is there for everyone to see in the Academic Handbook. It exists.

So that my read or my intention is that this basically covers all the things that were covered by the existing policy and I think does it in a more effective and direct way and means that faculty will not have to fill out needless forms. And especially with Richard's suggestion the last time that you can say there are no changes from last year we can make it even simpler. One more thing. An issue has been raised with respect to people using and getting royalties, not so much from the use of their books, but from the use of their own course materials. I think that is a

legitimate issue for the faculty councils on the campuses to discuss. It may be one that we want to have a university policy on; you may want to keep it at a campus level. But we haven't had that discussion yet. But if we wait to have that discussion before we can pass the changes that have been recommended in the policy then we will have at least, I will tell you, two more years with the existing policy and I don't think that is—we have so scarce resources as it is that the notion that we should not go ahead with these changes in order to solve the problem of people using their own course materials and getting royalties because we know that's going to take a full year to get through each campus, I think would be a mistake.

HERBERT: OK. Let me ask Mary. This was discussed in the Agenda Committee so it might be helpful for you to have a sense of that conversation as well.

FISHER: Thank you. We had quite an extensive conversation about it this morning. Two things that I think we could add to the mix. One is the issue of do we want a narrow policy that is research focused and does not have the other aspects in it? How would faculty practically know that they have to report these other conflicts, the state law, if they're not getting some notification or some form they have to fill out, how are they going to know that?

GELLIS: They will get that...

FISHER: Can I finish? And then secondly, the issue of Conflict of Commitment in our current document the two are integrated. There are very different philosophies about conflict of commitment coming from the two main campuses and so I don't think it's that straight forward that conflict of commitment is going to be ready to come up immediately. I think we've got some negotiation that will have to occur on that. So do we want to consider the two separately or do we want to look at them together? Those were the nature of the discussions that we had in the Agenda Committee and there was discussion on both side of each of those issues. And those basically were the two issues we discussed.

HERBERT: Is there discussion?

GELLIS: Can I just answer the first point because I think that's an easy point.

HERBERT: Short answer.

GELLIS: It is a short answer. First of all, there's a URL attached to the policy that gives you the reference to the state law. We or university counsel who basically monitors the compliance with the state law will continue to remind people and give them the form for breaking the necessary state disclosure form. We're not going to not make sure that this is, that you know about it and that those forms are not filed. That I think is an easy issue. And I will not make any comment on the other.

HERBERT: Is there any discussion of the proposal? As I understand it automatically is coming to you for your consideration.

FROEHLICH: I just had a question. Ann I appreciated the presentation you gave on this last time but I came away with the impression that we were under a timeline for adopting this policy because we were breaking rules of compliance with NSF?

GELLIS: No, no, I don't think I said that. I'm sorry if you had that impression. We want to get this to the Board of Trustees so that by next August when we gear up for the next annual report we have the system in place. But I did not, I don't believe, if I said it or I said something ambiguous I did not mean to imply that there was a reason in terms of compliance.

FROEHLICH: OK, so we're not under any timeline with compliance for the adoption of this. The only thing that the new document changes is the forms.

GELLIS: Well no it's every faculty members' filling it out and it's also the fact that I think ultimately you do not have an effective system of dealing with the real problems when you have to also deal with 90 percent that are false-yeses essentially.

FROEHLICH: Maybe I'm wrong but I think that everybody's happy with the revised document. I think the only concerns that continue deal with the state law that it is difficult for the average faculty member to uncover. I'm wondering how hard it is to incorporate some more of the state law on textbooks.

GELLIS: If what is stopping you is the combination of the state law on textbooks and this agreement that's no problem, we can put that back in. That is not the problem.

HERBERT: Marty?

SPECHLER: I'd like to support Ann on this. I think getting a very clear financial conflicts of interest in research is important for the good name of Indiana University and for telling people that we hold ourselves to the highest standards, such as those promulgated by the National Institutes of Health. I also believe that Mary is right that the conflict of commitment will be a difficult and long discussion. There are many issues around that and I personally would welcome that discussion. But I could see it lasting two or three years. So I do think that we ought to embrace this policy on research and get on with it.

HERBERT: Bill?

SCHNEIDER: Just a technical question, I'm very sensitive to this as Ann knows because I had some role with these in the past. But in practically administering it will you? First of all, if you pass this Conflict for research that could not become policy because if it does that would mean that there would be no policy for what hasn't been done that is the commitment until the commitment was done. Or do you intend to first do this and then work on the other and then have them both go together.

GELLIS: I think what we ought to do is pass this and perhaps at the same time have that portion of the existing policy that is very separable, and I can circulate it, and we can have it passed by the April meeting. That simply takes the Conflict of Commitment that exists and moves it to a

separate document, changing only the words necessary to make it stand as a separate document. I think what I did mention last time is that NIH, which continues to be very hot on this subject, has issued a guidance saying that it would prefer—and you know we like to do what NIH, if we can—they would prefer not to have the policies together. They in fact, you know I'm, they basically don't want the state policy in there. I mean they have specifically spoken on this issue. But, so I think we could very easily without changing more than 2 words take the existing policy on conflicts of commitment, keep that in place, until we have redrafted and reworked that policy.

SCHNEIDER: But you would have to have an interim policy, commitment policy while we worked on another.

GELLIS: Right.

SCHNEIDER: But apropos that, enforcing the existing Commitment policy, do you also envision administering that similarly by circulating questions for faculty who don't know what to report?

GELLIS: No, and if you look at the policy, that portion which is section six of the existing policy on conflicts of commitment, it has no reporting requirements whatsoever. It is to be, it basically calls upon the schools to develop a policy within the schools as to what is expected of their academic appointees with respect to their university responsibilities. And you may recall, I know Marty will, that President Brand wanted the schools to report, to have an annual report from the faculty saying basically that this is what they did and this conforms to the school's policy and that that was rejected by this body. It was not a vote, but Myles saw that it was not going to pass. So the existing policy leaves the, I don't even want to use the word enforcement, it leaves the oversight where it is most effective, and that is at the school level.

SCHNEIDER: Well regardless of oversight it does not require a proving your innocence mechanism.

GELLIS: No

SCHNEIDER: Saying I didn't have any conflicts?

GELLIS: No, it doesn't require you to do anything.

SCHNEIDER: But the research policy does require it?

GELLIS: It requires you to say that you don't.

SCHNEIDER: That you don't have any conflicts, but the commitment wouldn't require it.

GELLIS: Nope. Would you like it? [Laughter.]

HERBERT: Is there any?

HOYT: I don't understand why you still have to fill out the forms to say no, or yes.

GELLIS: Well not every, if we have the changes that we ask for, it will be restricted to researchers, people who are doing research, about their research activities. So for example if you are a lecturer and you do no research or you are a clinician and you do no research you don't have to fill it out, period. So not everyone is going to fill it out and when they do fill it out they will be answering a question that is limited to one specific area, their research activities.

HERBERT: OK, please?

BALDWIN: Can I make a suggestion, maybe an amendment? Perhaps the title of this should be changed to be "Policy on Financial Conflicts of Interest in Research." To say what it is right up front.

GELLIS: I have no problem with that.

BALDWIN: And then we need something else then. If we're going to have another policy on Conflict of Commitment we need another policy on conflict of interest in teaching and service.

GELLIS: I don't think, quite frankly, and this is something you can talk about, but my experience and I know that this was Mark Brenner's experience at Indianapolis and Bill can tell me perhaps he also knows, is that you do not have, the types of financial conflicts of interest that you get with respect to teaching are the ones that relate to royalties that are covered under the state law.

ZWIRN: State statute.

GELLIS: The state statute. There aren't, I mean again, I can imagine you can come up with some hypothetical that will have a financial interest effecting somebody's teaching; but my guess is it's related to something, a book they've used, a CD they've published, a videotape that they've published, all of which come under the state law. Now, again, if people would like

BALDWIN: Does that cover service too?

GELLIS: What?

BALDWIN: State law would cover service conflicts?

GELLIS: No. And service.

BALDWIN: That could be a problem.

GELLIS: Again, and service tends to be in most cases an issue of commitment. Now I make the same point, it is possible with service that you could have someone who is doing public service of some sort and have a financial interest that somehow is then conflicting with that but.

BALDWIN: Contracts come to mind.

GELLIS: Contracts?

BALDWIN: If you're on a board which approves contracts, for the university or not, you may have an interest.

GELLIS: Well, that's under purchasing.

PERSON: That's a conflict, with respect to your service on that board though not the university.

GELLIS: It's not; people who are concerned about your steering contracts to the university are the people who you are.

BALDWIN: That's their problem.

GELLIS: That's their problem and I don't think we can handle that.

HERBERT: Mary?

FISHER: I would say for the purpose of this week's vote I think it would be important to say that the Conflict of Commitment part would be taken out and used as an interim piece and that we would charge the Faculty Affairs of the UFC to begin to draft a permanent Conflict of Commitment policy with full input from all the campuses because this ones going to have a lot of local flavor as far as how people feel about it. That would be my best recommendation that could go with the policy.

SPECHLER: Second

HERBERT: OK. Why don't we then deal with the first motion, that is an amendment to rename this the Policy on Financial Conflicts of Interest in Research.

GELLIS: I accept that.

HERBERT: Is there a second to that?

BJORNSON: Second.

HERBERT: Any discussion? All those in favor please say Aye [Aye]. Opposed [none]? It's adopted. Now, would you like to make your motion.

FISHER: I make a motion that the Conflict of Commitment portion of the existing portion of the existing policy be separated out as an Interim Conflict of Commitment Policy and that we charge the Faculty Affairs Committee of the UFC to begin work on the permanent Conflict of Commitment policy.

HERBERT: Is there a second to that motion?

SPECHLER: Second.

HERBERT: And let me just tell you that the reason that I'm doing it in this order is so that it's clear that we have a Conflict of Commitment action addressed before taking a vote on the final. Is there any discussion on the motion that you just heard?

HOYT: Which is the version that we need? I think two documents came, one was the editing one and one was new one? And there were just some typos and things in the one that was redone.

GELLIS: If you just let me know I'll change them.

HOYT: Just let me know. Because I'm sure that's all they were is typos since they were not in the original one. And just one other recommendation is that we have definitions for a lot of things and in your original document it was not identified but I wondered if it could be, under definitions under financial interest there is.

HERBERT: If I could just stop you for one minute because the motion on the floor right now is to deal with the Conflict of Commitment and the request for follow up. Bill did you have a comment on that motion?

SCHNEIDER: I was going to ask whether the Interim policy would come before this group for approval. Is that implicit in the motion.

FISHER: Yes.

GELLIS: You can have it today if you want it.

FISHER: I think the idea would be that we would see it next month.

HERBERT: OK. Are there any other questions or any other comments on the motion on the floor?

TERRY: I just want to clarify something. One of the motivations for this was to take the supervision of Conflict of Commitment out of the hand of the Vice President for Research. Who will administer it to the extent it's administered at all the Interim Conflict of Commitment policy, will that remain with the Vice President for Research?

GELLIS: No. It would go to the Vice Chancellor for Academic Affairs on the campuses except in Bloomington where it is the Dean of Faculties.

TERRY: Then I would move to amend the motion to make that clear.

FISHER: Thank you and I accept that.

HERBERT: Are there any comments on the amended motion?

FROEHLICH: I'm not sure about the parliamentary procedure, but did I understand you Ann in saying that once we adopt the Conflict of Commitment document they would go up together.

GELLIS: No.

FROEHLICH: This goes first and then the other thing comes later.

FISHER: Next month we'll see the other one. It's only the existing policy for an Interim.

BALDWIN: Are you talking about going to the Board of Trustees?

FROEHLICH: I'm talking about going to the Board of Trustees. Would these go up together Ann is that the goal?

FISHER: Ah.

GELLIS: Yes.

FROEHLICH: So this will not go up until everyone is satisfied with their Conflict of Commitment.

GELLIS: No. The Interim is the existing policy.

FROEHLICH: Yes, but I thought, I'm just trying to understand. I thought that you wanted to come to a revised Conflict of Commitment document too and then take both of these to the Board of Trustees at the same time. Is that not right?

GELLIS: No.

HERBERT: As I understand it what would happen is that there would be two documents going to the Board of Trustees—the document here in blue and second a Conflict of Commitment policy that is currently on the books, there is a proposal to have that modified to indicate that those would be submitted to the Vice Chancellors for Academic Affairs or Dean of Faculties in Bloomington which is the amendment before you at this point.

FISHER: And that would be an Interim policy.

HERBERT: And that would be an Interim policy and that would be brought back to you next month. So my assumption is that we would be in a position to deal with that at the Board meeting potentially in June.

LUDLUM FOOS: When you say Interim policy does it make sense to put a time frame on that?

HERBERT: It would just be until adoption of a new policy. That's my interpretation of the intent of the motion. David?

DALEKE: I just want to clarify the Interim policy. This is the Conflict of Interest policy in the Handbook this is section 6 and it will just be extracted from that policy while the rest of the Conflict of Interest would fall away the Conflict of Commitment Policy would be now our Interim policy.

GELLIS: The only change that I need to make is to recognize that it would not apply to non-academic appointees, the same change that is in the Conflict of Interest.

HERBERT: Do we need to have that as part of a motion also now? OK. At this point there is an amendment to the motion on the table. The amendment to motion is what I just described a little while ago about this going to the academic vice chancellors or the dean of faculties. Is there any further discussion on the proposed amendment to the motion? Hearing none all those in favor please say Aye [Aye]. Opposed [none]. It's adopted.

So it has been amended. Now you have before you the proposal for the Interim Conflict of Commitment as amended. Is there any discussion?

BUCY: I just have a question which is, let's assume someone has an actual conflict of commitment and they assign their textbook and it's wildly successful, it's by every standard the best one in the field, and the person gets incredible royalties from it, what happens when you disclose that?

GELLIS: That's under the state law, what happens? The state law is only concerned with royalties that you receive from assigning your book to your class.

ZWIRN: Not other universities and their classes.

BUCY: But ok, let's say you teach a 300 person class. Do you not assign your book?

GELLIS: No, no, no. What happens is if you in fact assign your book, what the practice is in Bloomington and on the regional campuses—I cannot speak for IUPUI—is that people assign, naturally assign their own works. You know I think it's the best in the area. And if you have a large class and you get \$250 or more in royalties you report that on the state form. The state form goes to the Chancellor of the campus. The Chancellor, I guess, looks at it and sends it to the University Counsel. Dottie takes it and gives it to the Board of Trustees. The Board of Trustees says OK. And that's it.

NASH: How many pieces of paper does that require?

GELLIS: One. It just gets circulated around. Now, what the Business School does and what I think, just for your basic edification for future discussions. The Business School I think has a very good policy. They require someone, the chair of the department, or somebody in your department, to sign off whenever a faculty member assigns their own work to their class.

Basically they have to sign a statement that says this is a book that there's merit to using this book in this class.

HERBERT: In the interest of time, I'm sorry Ann. In the interest of time you have before you the motion; I hope everyone remembers what it is. It deals with the Conflict of Commitment and what's the word again?

SPECHLER: Interim

HERBERT: Interim, write that down. The Interim Conflict of Commitment. Is there any additional discussion? Hearing none all those in favor please say Aye [Aye]. Opposed [none]. It's adopted. Now you have before you the Policy on Financial Conflicts of Interest in Research. That was brought, so there's already a motion on the floor related to that. Is there any additional discussion with regard to the Policy on Financial Conflicts of Interest in Research? Hearing none, nope.

HOYT: Very minor. I just think we need to add the definition to that one paragraph to what IP is. I had no idea what that was. It was not a definition originally given.

GELLIS: Oh.

HERBERT: On page 3.

GELLIS: Oh sure, no problem.

HOYT: It wasn't in the original either so it would be a new thing. But it's just helpful.

GELLIS: No problem.

HERBERT: Do we treat that as a friendly amendment that doesn't require a vote? Are there any additional comments or questions? Forgive me for not recalling that you wanted to raise that question a few moments ago. If there is anything else. If not all those who are in favor of the Policy on Financial Conflicts of Interest in Research as amended by spelling out what IP means please say Aye [Aye]. Opposed [none]. Ayes have it. It's adopted. Thank you very much Ann for your overview of that.

AGENDA ITEM #7: Proposed Changes to *Code of Student Rights, Responsibilities, and Conduct*

(Librarian Mary Popp and Professor Robert Yost, Co-Chairs UFC Student Affairs Committee)

<http://www.indiana.edu/~ufc/docs/AY04/circulars/U7-2004.rtf>
<http://www.indiana.edu/~ufc/docs/AY04/circulars/U8-2004.doc>

HERBERT: Now we have proposed changes to the Code of Student Rights, Responsibilities, and Conduct. Mary and Robert, however you guys want to handle this or whoever is here. Robert,

great.

YOST: I'm going to go first. I just wanted to give the group a little bit of background and then Mary's going to go ahead and present the changes that are going to be brought forward. We've been working on this for about a year. The last time it was revised was 1996. What we didn't appreciate at the time was the time factor we were under—apparently we were supposed to be done in a year and we didn't realize that and so at the outset both IUPUI and Bloomington addressed issues that seemed to be more specific for problems that they were facing. And so Bloomington concentrated on parts one and three and IUPUI concentrated on part four. But over the course of the discussion over the last several months we've focused now together as a joint committee on parts one and three, and those are the two parts we want to bring forward to the group today. You see there on the blue handout that they specifically refer to Students Rights, Responsibilities, and Conduct and what we'd like to do is to bring those two to the group today and then as part of the resolution at the bottom of the page you'll see that one of our ongoing goals is to be able to address the other aspects of the Code more specifically. But with that goal in mind we would also like to go with a full rewrite of the whole Code, all five sections. But in order to proceed and have something on the books for next year that will address problems that Mary will tell you about we need to bring parts one and three forward at this time. And so what we'd like to do is present the resolution on the bottom of the blue page, do you want me to read that Mary or is that ok? We're just going to go ahead and bring the resolution at the bottom of the page forward and ask if the group agrees and then Mary Popp will go ahead and present the remaining information. So what do we need to do?

HERBERT: Let me make sure everybody has a chance to read it.

POPP: One of the things we discovered in the record was that the Board of Trustees, the last time they approved it, had really wanted it simplified. But we didn't learn that until too late in the process.

HERBERT: We learned that too late.

DALEKE: Robert, do you think it would be useful to read the resolution, it's relatively short.

YOST: OK. "A shorter and more simplified Code will assist students, faculty and administrators in understanding and upholding the shared values of members of the university community. The University Faculty Council:

- 1: calls on members of the academic community from every campus, including faculty, students and administration, to work with the UFC Student Affairs subcommittee to rewrite the code as outlined in the preamble.
- 2: directs that this work begin as a working retreat during the summer of 2004 and supports making funds available for this retreat. This work will result in a Code brought before the UFC for adoption by the end of the 2005 spring semester.

3: supports the development of Code sections on core values, definitions, and behavioral expectations (currently sections I, III, and V) as a document that can be used as a system wide code, and the removal of Code sections on specific procedures for student complaints and misconduct (currently sections II and IV) to administrative procedures to allow for campus flexibility in procedural issues.”

And perhaps, should I explain that last one? Are we ok?

HERBERT: Please.

YOST: Yes, I should explain it or no we're ok.

HERBERT: Anyone have questions about it? OK. Please.

BALDWIN: I guess I do. I guess I don't understand this.

YOST: Well it turns out that administratively there are differences in the way the Code is administrated as far as who is responsible for listening to the students' case and how it progresses through the university, through each campus. So there are issues like that that come to mind right away. And this would allow us to address that.

BALDWIN: So they would be left up to the campuses?

YOST: Yes, that would be a campus specific issue.

LUDLUM FOOS: Campus faculty or campus administration?

HERBERT: Sorry, we can't hear the question.

YOST: Will it be a campus specific issue? The answer is yes because there are procedural issues that are specific for campuses. Would it be a faculty or administration decision? I think that means for adopting?

LUDLUM FOOS: For developing the campus...

YOST: For developing the campus, it would be in conjunction with administration so it would be the Student Affairs people on the respective campuses that would be involved with that.

LUDLUM FOOS: But not the faculty?

YOST: And the faculty. Yeah, in conjunction with the Student Affairs Committee, yes.

HERBERT: Please.

WHEELER: Has part III been discussed with University Counsel?

YOST: Part III?

WHEELER: The third part there that deals with the removal of II and IV because university counsel may not view

YOST: Yes, that is cleared. We have also spoken with them and they will be on board when we actually do the revisions.

TERRY: At the Bloomington Faculty Council I complained about the complexity of the Code and I'm very pleased to see the resolution. The motion did not pass by a large majority in Bloomington, there were I believe 28 votes for it, 14 abstentions, and 1 no vote. As best I can determine, and it's been rather haphazard, the primary reason why people abstained was the sense of complexity here.

DALEKE: 28-1 is pretty overwhelming.

TERRY: 28-1, but there were 14 abstentions. In any event, having said that, I support the resolution. I would like to amend to amend it in one way. Given the way the Council works I'd rather not see this work presented to us at the end of the spring 2005 semester. I would propose, in fact I would ask that it be amended to change "end" of spring semester in paragraph 2 to "midpoint."

HERBERT: Is that a motion?

TERRY: Yes.

HERBERT: Is there a second? OK. Is there any discussion of the amendment? Hearing none all those in favor please say Aye [aye] opposed [none]. It's adopted. Now to come back to the resolution. We need to have a motion on the resolution; we probably jumped the gun a little bit. Is there a motion on the resolution?

FISHER: It came from a committee so it's ok.

HERBERT: Oh, I didn't see an action item on here so we are ok. Is there any additional discussion?

DALEKE: In section 1 where it calls on a UFC Student Affairs subcommittee, is that an established subcommittee or is that meant to be the UFC Student Affairs Committee?

POPP: We had talked about it as the ability to create a full committee or a subcommittee that might pull in people from outside of the UFC committee. So that maybe is waffling language and it could be changed to committee without a large problem.

DALEKE: Or you could change the word "the" to "a" UFC Student Affairs Subcommittee. However you want to do it, it seems to imply, Paul pointed out that it seems to imply that there was an existing subcommittee that this was around.

HERBERT: Is there a friendly amendment to change that, what's the wording?

DALEKE: Change the word "the" to "a".

HERBERT: OK, great. Any additional discussion, comments? If not, all those in favor of the amended resolution please say Aye [Aye]. Opposed no [none]. It's adopted. And I'd just also like to congratulate the committee. This is something that is, I think, extremely important for the university. I'm glad to see that you're tackling this.

FISHER: Good because we'll be asking you for money. [Laughter.]

HERBERT: I'm not sure how glad I am but...ok the next item is a preliminary report on the

FISHER: We're not quite there yet.

HERBERT: Oh, I'm sorry. Forgive me.

DALEKE: That was a separate resolution that came out of their discussion so this is the proposed changes.

HERBERT: I wasn't scripted completely on this so what do we need to do now?

YOST: Mary's going to address the changes.

HERBERT: OK, Mary. Thank you.

POPP: As long as my voice holds up. You have in front of you a larger document that says "Indiana University Code of Student Rights, Responsibilities, and Conduct, Planned Revisions." This is only sections I and III of the Code and this is the section that talks about student rights, student responsibilities, and it doesn't deal with anything in terms of how process works, what the Hearing Commissions look like, etc., etc. It's pulling out only those things that have to do with the student rights and responsibilities and conduct. We anticipate that this part will not be brought for a vote today. It will be brought for a vote in April, but this is the first reading to give you an overview of what's going on in this document.

Our job today is to get you prepared for that April vote and I want to bring some issues from the committee for you to particularly take a look at and share with your campus student affairs committee and your colleagues in general. There are several things in here that we want to point your attention to, the first is a change in the preamble that begins to identify core values. That's on page one and it begins on line 13. You will notice that additions to the Code are in larger print and in bold. So that's the beginning of a set of core values.

Our second area where we want to call your attention is to the definitions of harassment and they have made shorter and clearer and more inclusive and you will see that section beginning on line 92. And we've also begun to add guidelines here to assist in supporting civility in the classroom

which is an area that people have talked to us about. And so the section on harassment is meant to be an overview in that area.

A third piece of this is the addition and inclusion and some extra emphasis on issues relating to technology. Technology is much more important in our lives than it was in 1996. And it's much more ubiquitous. So you will see this in several places in the Code. It begins on line 20 where we start to talk about facilities and resources, and it moves into areas in academic misconduct that begin on page 14. And so we call your attention to the changes in the areas of academic misconduct that talk about technology and the use of technology. Nobody had picture phones in 1996 that could take a picture of somebody's exam.

A fourth area that we want to, that we added to the Code, were areas that talk about issues related to harassment, stalking, and sexual assault. These are areas that our Student Affairs Committee in particular has said we needed to go into more clarity and more depth so you will see those revisions here.

And you will find added information here about off-campus conduct, especially in activities that take place in university sponsored programs. This is an area where we heard, and the Drafting Committee, heard from lots and lots of people that we used to incorporate things that were part of the off-campus activities—field trips, conferences, university sponsored events like that. So you will see more of that. And there is a special section that begins on page 12 for you to take a look at.

And finally we looked at issues related to off-campus offenses. We tried to be sure, beginning on page 20, that it was clear to students, and we really heard from students on this, that these are serious issues where the community expects the university to become involved. But we're talking about serious issues.

And finally we made changes in the area of academic misconduct to include academic activities outside of the standard classroom. So you will see things about field trips, but also doctoral exams. So again we call your attention to those areas.

This is a document that you will want to take a look at, that you'll want to read very carefully, and that if you have changes and suggestions we would be grateful to hear from you by the middle part of April and those suggestions will go to Robert Yost who is sitting here with me and he will compile them and we will bring back an edited version for you edification in April, at the April 27th meeting.

HERBERT: Thank you very much Mary. Are there any questions of Mary before we go on? Please?

PERSON: I have a question and maybe I just don't understand the language on page three, where you have the heading of harassment. It says "Students have the responsibility to respect each other's personal rights and dignity." So is this section only dealing with students relationships with one another?

POPP: This section relates primarily to student relationships with one another, but it also, if you go to the next page it talks about harassment of students, employees, and university administrators, in that "d" section that has to do with publicizing and implementing harassment policies. And a little above it you will notice it with a discussion about discriminatory harassment.

PERSON: I guess my suggestion would be that if you include all of those and you just start with the first line you assume that this is only about students' relationships. But if it really includes more than that you probably need to find a better way to say that.

POPP: Thank you.

HERBERT: Other, Martin?

SPECHLER: Two issues. The first on Religious Holidays, that's number 5 at line 354-360. This is an issue that's come up repeatedly, on the Bloomington campus especially. And I'm very glad to see this but it raises the question about how a student who is in a course with a professor who is reluctant or refuses to make an adjustment, and such examples have occurred every year, what can the student do without jeopardizing their grade? A student needs a way to complain about such refusals [to make arrangements for religious holidays] by a professor without jeopardizing his or her grade. The same is needed for any kind of harassment by a teacher.

[End of Tape 2, some verbatim conversation lost here; notes are included for reference.]

FISHER:

SPECHLER: Well

FISHER: Yeah.

SPECHLER: Well, what I'm saying here is that

HERBERT: Sarita?

SONI: Mary, do we still have a separate

POPP: We have this Code which covers everyone

SONI: It refers to this Code and then any additional issues

HERBERT: Are there any other

TERRY: I just want to alert the Council to the fact that, when this comes back here, I will ask the Council to consider two substantive changes in what I expect the Committee will propose. First, I am very troubled by the parts of the proposed Code that sanction "verbal behavior." At a University, freedom of expression is crucial and that includes, sometimes, accepting and even

protecting irresponsible or offensive speech. This is something I urged my Bloomington colleagues to change, but they did not do so. I'll be asking you to consider changes here too. Second, I am also troubled by the language in here pertaining to changes in alcohol policy in the residences. The current policy is a bright-line; no alcohol. The proposed policy, allowing those 21 or over to drink, subject to approval of the Dean of Students, in residences with under -21-year-olds will put a lot of pressure on the Dean of Students office but, most importantly, just seems to be an awful idea if we are trying to get a handle on alcohol abuse and overuse in the residences. I don't think it's very practical and will be very hard to enforce or police. So, I'm likely to ask the UFC to consider keeping the current alcohol policies and not making the changes proposed here.

HERBERT: We won't get into a...are there any other?

WHEELER: Mary, several places, even in the new Code

POPP:

HERBERT:

SCHNEIDER:

POPP:

HERBERT:

**AGENDA ITEM #8: Preliminary Report on Admissions Policy Review
(Professor William Wheeler, Co-Chair UFC Educational Policies Committee)**

[Tape 3 unclear and the beginning of Professor Wheeler's presentation is missing here.]

WHEELER: It was intended in large measure to give an indication to the high schools in the state of Indiana of what the faculty of the university thought students should be doing in high school in order to prepare for college. Now this is clarified in the purpose, there was a working document of the Council dated March 10, 1960 that was putting out some issues for people to talk about and it actually stated a purpose for the new admissions policy. And it says as follows, "Indiana University recognizes its legal obligation to oppose only those admission standards that are reasonable to their purpose of improving student performance and its social responsibility to broaden the base in educated leadership and all walks of life in the state and the nation. It does not intend to shift to other state sponsored institutions the sole responsibility for offering an opportunity of last resort to the citizens of Indiana. Rather it seeks to make a positive contribution to its objective of providing an education equally open to all by expecting its students to start with a more even preparation and a demonstrable motivation for serious study."

I think this is a very good sentiment and I think this is one that we do need to bear in mind because it says that the admissions policy was not implemented as a way of somehow lifting our

standards for admission and becoming more exclusionary or more selective. Rather, the statement there does affirm that the university does have an obligation to meet the needs of the state to provide education to its citizens and that the basis for the admissions requirements is not in some sense being a more selective institution, but rather improving education by setting some minimum levels in order to get a common base for educating students in our classes.

Now I think this noble sentiment still has relevance for us today, at the same time we do at this point in time recognize that the state of Indiana has changed the circumstances so that now it intends to make the Community College of Indiana the opportunity of last resort. So as one thinks about admissions policies one needs to bear in mind both the university's obligation to the state but then also the changes the state is contemplating itself.

Now I alluded to the fact that number four in the current policy is a bit vague when it makes this reference to a "combination of strength." So it's no longer quite clear exactly what type of exceptions it may be talking about. I quoted at the top of page three the number four from the 1960 policy which I think makes clear that number four was to provide a way of balancing the situation. That is, to satisfy numbers one, two, and three you must satisfy a certain minimum level in all those areas, but there might be cases where a person is exceptionally strong on one dimension but weak, below the minimum on the other. At that's what this item number four is really intended to address, it's not the one that has a combination of strength across the board, but rather one that has strength in some areas but weakness in others. And so I've quoted for you there the 1960 policy which said "the Admissions Committee is empowered to accept students who are deficient in one or more of the above specifications (that's alluding to the antecedents of our current numbers one, two, and three) upon receipt of such evidence as the following: the high school did not provide some of the courses recommended for college preparation, there was a high rank in graduating class or on nationally standardized exam using evidence of the required capacity of college work, unusual motivation indicates the probability of students being able to overcome his deficiencies, a regular member of the Indiana University faculty certifies in writing that in his judgment the applicant is capable of doing college work, or on the basis of any other evidence that is satisfactory to the Committee."

I believe that the old version of number four makes it clear that what we're trying to do is to say that exceptional strength in one dimension could offset weakness in the other. I think that the current number four does not indicate that point as clearly. The next paragraph there is included to inform you about the development of the Core 40 and the Academic Honors high school diplomas. Many of you may be aware of those, either because you have children who are in high school or you are involved in the admissions procedure on your campus; however some of you may not fall into either one of those categories. So if you do not fall into any of those categories I've included the URL where you can in fact see a listing of those requirements. Generally speaking the Core 40 requirements are roughly comparable to our current list of courses specified in paragraph number one of our current admissions. The discrepancies are where in our number one says that you have to have 28 credits; the Core 40 only requires 26. On the other hand the 26 that the Core 40 requires would in fact satisfy the itemized listing of 26 credits in item number one. In item number one it lists 26 credits, it says you must do 28 but it breaks down into 26 credits. And the Core 40 would satisfy that breakdown. The Core 40 diploma does

not require any foreign language; that would be its greatest shortfall in comparison to our normal expectations.

The requirements for the Academic Honors Diploma greatly exceed our admissions standards. They actually require a minimum of 38 credits, where we require only 28. And it also requires at least 6 semesters of foreign language. Furthermore, in contrast to the Core 40, it also has an achievement component built into it. Only courses in which a student earns a grade of “C” or better may count toward an Academic Honors Diploma. And furthermore a student must have an overall GPA of “B” or better in order to receive an Academic Honors degree. So the Academic Honors degree is a very strong degree. And even the Core 40 is almost comparable to our current item one.

Next on the handout you see the paragraph that has been adopted by the Commission for Higher Education. They have identified their goals of what the admission standards of the campuses should be and it acknowledges that admission requirements are based on rank and measures including but not limited to grade point average, standardized test scores, class rank, and pre-collegiate coursework. And then they go on to say what their ideas are. “While encouraging Hoosier students to complete the Core 40, the state expects Ivy Tech State College and Vincennes to remain open admission campuses. The state expects that IUPUI, University of Southern Indiana, and the regional campuses of Indiana University and Purdue University will require the Core 40 curriculum as a minimum admission requirement for Indiana high school graduates with strong encouragement of Academic Honors Diploma. The state expects that Ball State, Indiana State University, Indiana University-Bloomington, and Purdue University-West Lafayette will have highly selective admission policies with completion of the Core 40 as a minimum admission requirement while strongly encouraging and giving preference to the completion of an Academic Honors Diploma.” And I put there for you the URL and the page reference of that paragraph.

So that’s the context in which we are considering our admission requirements. The Committee has undertaken to do an analysis of admissions data, working with, and here I actually do refer to the University Office for Institutional Research, and I know that there is no such office and so there must be some other title. So it’s the institutional research branch of the University Budget Office, Todd Schmitz who is currently located on the basement level of the Poplars building in Bloomington is the head of that unit. We’ve been working with them—Ted Miller and Kelly Kish and I—have met with them several times to discuss what types of data we might get. We’ve now gotten data for the years, for entering students for the fall 2001, fall 2002, and fall 2003, for all campuses. We have about 55,000 student records. It includes a wide range of academic data, including such things as residency, what campus the student was admitted to, what campus the student is currently on, what type of degree program they were admitted to—was it an associate’s program, A1, a baccalaureate program, B1, and A2, B2, and so forth—how many years have passed since high school graduation, what type of high school degree did the student earn if the student was an Indiana resident, SAT scores, high school rank, and other factors. So we’re undertaking to try to analyze that but given the number of campuses, the number of schools, the number of classifications this is a very time consuming task. This is further complicated by the fact that there is missing data on high school degrees and high school rank,

and there is some miscoded data that crept in when admissions converted from the Legacy system to Peoplesoft. For example we have on the Bloomington campus we have some...

HERBERT: Why am I not surprised?

WHEELER: We have some students that have Academic Honors Diplomas from high school, so they have very strong grades, they are in bachelor of science programs and yet they are classified as class A1 being in an associate's program. This is certainly not what the situation is supposed to be. There are other cases where we have about 1500 students who are attending the university even though according to the data they were never admitted to the university. So Todd Schmitz says we just ignore that if they are here we assume that somehow they eventually got admitted, it's just the data have never been updated. There are large gaps on the matter of high school degrees for the following reason: for purposes of financial aid the university must wait for the State Student Assistance Corporation to provide official data as to who has a Core 40 degree and who has an Academic Honors Degree. That information is provided by high schools in the summer following graduation. But only students who are actually planning to receive financial aid from the state ask that that data be submitted to the state. Students who do not intend to have state aid do not ask that that data be submitted to the state. So when we get information from the state it only covers about 2/3 of our students. So at this point in time on the Bloomington campus for Indiana graduates we know that about 1/3 of them have Core 40 degrees, about 1/3 have Academic Honors degrees from high schools, and 1/3 of them have a blank. Now that blank could occur for two reasons, well at least two. One, the Student Assistance Board had no information on them or two the students do not have either Core 40 or Academic Honors degree and rather they have the much weaker general high school diploma. The information on SAT scores and high school rank suggests that actually that student, the ones in Bloomington for whom we have no information actually fall between the Core 40 students and the Academic Honors students; they are better than the Core 40 students, they are not quite as good on average as the Academic Honors. So there's a problem with missing data issue.

On some of the other campuses of the university that does not seem to be the case because the students for whom we have no information about the high school diploma seem to be significantly weaker than the students who have Core 40 degrees. In fact, sufficiently weak that they do not meet our current standards, falling well below in some cases the 50th percentile of their high school class and well below the state median on the SATs. So we are undertaking to analyze that, but that will take a bit longer to accomplish.

The initial analysis though, as I've indicated here, indicates that there is little overlap between student populations of IU and the Community College of Indiana. The point where this is mostly a concern is often on the Indianapolis or on the regional campuses, in particular when you look at the associate's degree-either the associate of arts degree or the associate of science degrees. In most cases as I've actually been looking through the list of people who are admitted to associate's programs in many instances those are admissions to programs that are related to medical areas. An associate's degree that used to be offered by Allied Health before it reorganized itself and courses which are still on the regional campuses are called Allied Health courses although there is no longer a connection to the central unit in Indianapolis. There are things that are related to other medical degrees offered in Indianapolis for students to do their

first year—for instance in Bloomington and Richmond and then only go to Indianapolis in the second year. So they are admitted as associates even though they may later get an actual baccalaureate when they transfer to the medical programs in Indianapolis. So we've discovered that's the situation with many of the associate's degrees.

However this is not the case on all campuses. There are campuses that have a non-trivial number of students pursuing an associates degree in general studies. Those in the long term will be problematical vis-à-vis the Community College of Indiana even though at this point in time the Community College of Indiana does not yet always have a presence offering those degrees. So we do have a little bit to worry about there but at the same time it's a small amount and it doesn't affect all of the campuses. The greater concern as we've looked at this, have been the practices that have evolved in conditional or probationary conditions under item five of the current policy that says that campuses at their discretion may admit students on a probationary basis. Now with much of the change in Peoplesoft rather than having probationary admits we now have conditional admits, the Peoplesoft term is "conditional." I cannot speak to what the policies may have been or the practices may have been on probationary admissions some years ago, but I have been disturbed by what I have seen in looking at the data for current practices.

There are in our classrooms students who have a conditional admission, sometimes to baccalaureate programs, sometimes to associates degree programs, who are quite weak. In this particular context I can't discuss, I should probably avoid discussing any particular cases but I do have cases from each campus of students who fall very far down on the SAT scores, fall very far down on the class rank, and for whom it is difficult to see any other reason why these students were admitted. So there is a concern about practices that have evolved for conditional admits. Now this is not on all campuses I should say. Bloomington has no conditional admits. Indianapolis has a significant number of conditional admits, but that is based upon research done by their institutional research office and as a result there are very well defined procedures in Indianapolis. If a student has a Core 40 degree but has more than 2 and less than 6 Ds and Fs on their record, and even if they have a good SAT score, they will be admitted on a conditional basis because they had some low scores. And those students seem to be performing well. Mike Donahue, the Admissions Director on the Indianapolis campus, assures me that all that is based on sound studies of retention and that the students that he is admitting as conditional admits do succeed in their courses. And it also shows because their high school ranks, although having an average below the 50th percentile, is still in the mid-40s or something like that.

There are other campuses where the percentile, the average percentile on the conditional admits is down the 20th percentile. And that has gotten very low. Having said that then as background I have posed some issues that the committee has not yet addressed but I included on the paper in front of you because they will probably come back. So for possible modifications of the admission policy: number one is to incorporate language which concerns Core 40 and Academic Honors diplomas into item number one. The Admissions Directors say we should not directly say that you should have to have a Core 40 or to have an Academic Honors, but rather what we should say is one needs the equivalent of that and make appropriate changes in the language in terms of itemizing the courses. Number two is a straight forward thing; the current admissions policy refers to "commissioned" schools; shortly after the revised policy was adopted in 1988 the

commissioned schools were eliminated. The state no longer commissions high schools and so we need to drop that. That's easy.

Number three, I suggest that we need to reformulate item four looking back to the original item four in 1960 in order to make it clear what we mean by having tradeoffs when a student is deficient in one or more requirements. I think that also goes to the issue of some of the practices in the conditional admissions area where you may have people who are in the 40th percentile and an SAT score of 900 and that may be entirely appropriate, but they are being admitted without any tradeoff at all because the current interpretation of number four says if there is some overall strength and that's being used as basically saying you need to be low on all three measures one, two, and three.

Number four it may be time to look again at the class rank guidelines for non-Indiana residents. This has been brought to me by a number of faculty members who have noted that they know of cases of a student who has very high, strong SAT scores, but may have gone to a strong high school and therefore ended up below the 50th percentile is not admitted into the university. Whereas another student who had gone to a weaker school has a class rank which is greater than the 50th percentile but a lower SAT score is admitted. And this leads to a need for faculty sponsorship. So there are some questions about the class rank guidelines on part of these individuals they thought that might be the difference between the guidelines for Indiana residents versus guidelines for non-Indiana residents, the individual faculty member said no that wasn't what was going on in background. But they are concerned about this and it may be time to look back at that. In 1960 the guideline was that you had to be in the upper 50 percent for Indiana residents and upper 25 percent for non-Indiana residents and then in 1988 that was reduced, the Indiana residents was maintained at the 50 percent level, the guideline for non-Indiana residents was lowered to saying that non-Indiana residents had to be in the top third of their class. It might be time to look into that issue. That would have an impact for the Bloomington campus, the Richmond campus, and the Southeast campus—those are the campuses that currently have significant fractions of their populations coming from out of state.

Number five is going to the issue that I alluded to earlier about the situation about conditional/probationary admissions. It may be that the University Faculty needs to set some standards on probationary and conditional admissions that you know, we may want to consider whether giving campuses the free hand to let things go as they choose is really in the interest of the university.

Finally, another issue here is, because of the requirement of class rank some high schools are ceasing to report class rank. And this is becoming an increasing problem. We now have a number of applications from high schools where the high schools say we don't rank our students and we don't have a class rank for them. And so, in the absence of a class rank, no good measure of a student's achievement. If they have an Academic Honors Degree from the state of Indiana then you know that they had a "B" GPA, that their GPA was at least a "B." So it's been suggested that as, and also because the meaning of class rank varies depending upon the quality of the school and the size of the school that it may be time to look at measures of achievement other than class rank. Two of those come to mind. For non-Indiana high school graduates we might require them to submit scores on the national standardized achievement tests, such as the

math achievement test that's given in the afternoons after the morning aptitude tests. There are similar things in the sciences and in all the areas there are the achievement exams offered by the College Board. It might be that we need to look at that and incorporate that into our decisions. Also in the state of Indiana there is another thing that is going to be coming soon. The state of Indiana is committed to introducing Core 40 exit exams so that there would be a state exam to all students from the state. It would be a state-wide Algebra I exam, a state-wide Biology exam, a state-wide English exam, and so forth. And it is the intent of the P-16 Roundtable group that the results of those exams should be used in college admissions decisions. Those exams, they have been pilot testing exams for several years with mixed results. I am told that those Core 40 exams in mathematics, at least Algebra I, are actually supposed to become official in about a year or two and it might be that we should begin taking those into account as a measure of achievement for students in the state of Indiana as an alternative to looking at the issue of class rank.

And all these matters will come back to you in due time.

HERBERT: Are there questions?

SPECHLER: I'd like to make a comment. I do agree with promoting Core 40 but I strongly object to the tenor of your argument to amend number four to make admissions policies on our various campuses less permissive than they are today. Keep in mind, as I'm sure you know that high schools in this state vary very considerably in their quality and in the type of students that they enroll. And you also must be aware that we all endorse the idea of increasing the diversity of our student body particularly those students whose family background disadvantaged them in their academic progress up to now. I think it's very important and I've said this on our campus when they tried to limit enrollment, I think it's very, very important to give every young person in the state of Indiana who has graduated from high school with these requirements, give them a chance to meet the high standards of Indiana University. Whether it's on the Bloomington campus or Indianapolis or anywhere else. Clearly you're not going to guarantee admission under number 2; I think it's entirely appropriate to give the campuses broad permission to enroll people on a conditional or probationary basis, which means that we supervise their progress. And I speak, I know you are a Math professor, I speak statistics, I know this is very frustrating that many students fail and don't understand what the standards are in quantitative courses—that they are the most problematic. I nevertheless feel that it's very important for us as a state university to offer the chance to succeed, and I reject the idea that any statistical analysis can identify all the students who cannot succeed at Indiana University. It is only a statistical matter that students with low quantitative qualifications probably won't succeed, the probability is lower yes, but there are always students with low quantitative qualifications who can succeed. And I personally believe that it's very important for us as a state university to hold out the chance to succeed to every young person who has graduated from high school with these requirements.

HERBERT: Herb?

TERRY: I just hope that you take a look at, among other things, item 3. I think you're going to have to in one sense. The SAT I believe will shortly include a writing component. And I'm not sure if that writing component is quantified with a point where it has a median. Or even if it does that we would want to admit students who would fall at the median of that likely writing skill

test. So it seems to me that the given changes in the testing system that we might look at that and we might want to require some test that does have a writing component if we conclude that the writing skills test should be followed.

HERBERT: Other comments? Cathy?

LUDLUM FOOS: I want to follow up with Marty, when this was being discussed at the state level we have a faculty member who chairs our Campus Curriculum Committee and for many years worked closely with the schools bringing programs in the sciences to people in the African American community. We have a very hard time bringing African American students to our campus and her first comment when she heard this was that this would be devastating to our attempts to bring African American students to the campus. And she is in a position to have some insight into the effect that would have so I'd like to throw that out there as something to think about.

HERBERT: Ted?

MILLER: Well I think one of the things that we should probably recognize is that this statement that we have at the bottom, or on page 2, beginning at the bottom of page 1, the list of our official undergraduate admissions policy today is in fact a university-wide policy. And it's also a policy that is being widely ignored. Number three, the stuff about the median standard SAT, I mean in Bloomington and I would say, and I'm not exactly sure about this, but I would say at least a third of the students, probably a third of the students that we admit in Bloomington do not meet this criteria in number three.

SPECHLER: Absolutely, that's right.

MILLER: We're wildly out of compliance with this particular point of the policy. So what I think that means is that to the extent that we can reformulate the university admissions policy, I think it's pretty obvious to me that what we need to do is to authorize the campuses to do what they are now doing, which is to have their own admissions policies that fall under the university wide one. And I think that's the direction that we really have to go here. But I was intrigued Bill by the fact that in your little list of issues you didn't mention number three about the SAT scores. You didn't suggest that that was one that we needed to reconsider.

WHEELER: Well, the summary there is not to say that it's not, it cannot be on the table, these are just the things that were clearly on the table.

ZWIRN: I'm sitting here feeling like the child watching the naked emperor. Am I the only one who has a real sense of disconnect between, with all due respect Bill, with what you started by saying, not to raise the standards and not to be exclusionary, and not to raise enrollment. And then we're talking about Core 40 and the percentage who don't have SATs of whatever it is. I mean who are we being dishonest to? Ourselves perhaps? Do we want to hold these seemingly disconnected values at the same time in our heads? If so I can play denial with the rest of you. But I will tell you that what I heard at the beginning and what I hear us discussing now seem to be out of two different mouths. I'm old enough to remember 1960 in the context of Indiana

before Brown v. Board of Education; Indiana was a segregated school system state. I think it's so lofty to read these lovely words that we wish to be inclusive and impose only those admissions standards that are reasonable blah, blah, blah. But when we live our lives and we say well we ignore this and we fudge that; in this room we're being honest with each other. Indiana University is clearly looking, and I believe it should be looking, to raise its standards, to be lofty in, and to support by all the mechanisms Marty, you know I grew up in the lower east side of Manhattan in a low income housing project so I can talk the real talk. I can say that we should do everything in our power to provide support to those individuals who for whatever reason don't meet those standards. But to pretend that we're blind. To pretend that we don't want to raise the standards. To pretend that we aren't putting into place excellent mechanisms by which those students can be tracked offside until they have the competencies to be admitted to an IU school and be successful. I don't want to open the door to everybody and subject young adults, or mid-career individuals to failure after failure and the horror that it does to people's psyche by having them see so clearly that there's no way that they're ever going to succeed. So whatever we can do to make students successful in a system that has high standards, that publicly says it is our intent to be a school that raises standards in this state, I don't think it is dishonest. And I find this paragraph to be smarmy.

WHEELER: To be what?

ZWIRN: Reasonable to the purpose of improving student performance, its social responsibility to broaden the base of educated leadership in the State.

GELLIS: What page are you reading from?

ZWIRN: As that was said it was meant to

BALDWIN: That was from 1960.

ZWIRN: It's 1960; yes of course it's 1960. But the comment was made how desirable how much more still philosophical in support of this and I don't think that's true.

WHEELER: I'm uncertain where you actually stand on this then.

ZWIRN: Where I stand in what?

WHEELER: Is it that you choose, for example if you were confronted with the issue of raising or lowering the guideline for class rank, which direction is it that you would favor? If it were to move would you move it up or down or keep it where it is?

ZWIRN: I will answer that question but before I do I will say that the issue of class rank, as you shared in this room is in itself questionable, because if you're looking at a class rank at a Brebeuf Jesuit in Indianapolis or at a class rank at some school in which 96% of the students don't go to college you may be speaking of very different things.

WHEELER: I agree so let's turn to the SAT.

ZWIRN: The percentile can be very different in one school or the other. I would prefer to look to externals beyond class rank because there are issues there? What was your other point?

FISHER: Would you go up or down on standards? That's the question.

ZWIRN: Probably up. I'm on the IUPUI campus and was present when we voted, it was clearly defined from our vote that we have many more, a larger percent of students who are admitted conditionally and I whole heartedly support that and I'll tell you why. It is not to mark the student; it's to identify those students so that we can provide them more resources so that we can guarantee their success. What it does is it says let's look more closely at ensuring the successes of the individual, let's put into place for these special need groups of students whatever resources we need. If you look at the Math Center on the IUPUI campus I think that's been a spectacular success and we're able to do that because we know which students in fact don't do well, don't test well in mathematics.

HERBERT: We have about 5 more minutes.

OGREN: Yeah, as an update on our policy for admission I'm surprised that we don't mention or recognize the category of home schools because it must be a growing fraction and yet for those parents there seems to be no guidance in here at all and there's no recognition. I wonder if you had any discussion about that within your committee.

WHEELER: I'm uncertain what it is, what type of,

OGREN: If I were

FISHER: How would you deal with home school?

OGREN: If I were home schooling my children, I'm not, but there would be no guidance here and also there's no suggestion to them. I mean they will be handled within this policy some way or another, they will be handled. But there's no recognition of the existence of a growing fraction.

WHEELER: Yes. I guess I'm not sure, it provides guidelines for the courses that you should take, so it provides guidelines that you should have four years of English, three and four years of Math and so forth. So it provides guidelines on subject matter. The national standardized tests would apply equally to them. So you know it seems to me the only issue there is the issue of class rank and in that sense the suggestion that maybe we need to look at other measures of achievement does respond to that. I'm not sure I see a need to identify particular classes of schools but rather...I really thought that, I think our current admissions policy, leaving aside the issue of class rank which is not certainly not relevant to that type of situation, that the other things still pertain and that the suggestion to use national achievement exams would apply also.

OGREN: So it was discussed but you decided not to, I mean.

WHEELER: I beg your pardon?

OGREN: You didn't include it?

WHEELER: I didn't include it. I'm not sure what it is that you have in mind. What we're trying to do is say this is the educational background you need and this is the quality you need to attain.

OGREN: I think that the policy would be confusing for many home schools.

WHEELER: Perhaps we can talk afterwards. I do want to respond to Marty. Marty in your conversation you made certain suppositions about where I was coming from that are not the case and so I just want to put that on the table in that in things I said that you know it was not an issue of somehow decreasing openness to disadvantaged groups or anything of that nature.

HERBERT: Maybe the two of you could talk about this afterwards. I'm just.

SPECHLER: Just briefly. I just want to add that we need expedited admission for graduates of Ivy Tech State College in order to encourage those students we've relegated to that system to matriculate at a four-year institution.

HERBERT: At the very beginning of the meeting we bypassed the approval of the minutes of the last meeting. I have been advised that they are on the website and as a result everyone should have had an opportunity to read those and consequently I'd just like to ask if there's a motion that they be adopted as printed on the website.

TERRY: So moved.

HERBERT: Is there a second? All those in favor please say Aye? Opposed? They're accepted. Let me just also acknowledge the presence of two of our chancellors here today and just wanted to see if either of them would like to make any comments to the Council today before we adjourn.

PATTERSON-RANDLES: Well first of all I'm really delighted to hear this discussion and I'm sure it's going to get very intense over admissions policies because it's something that we're dealing with on our campus right now. And I think as the Community College of Indiana comes more on line we're going to have a number of issues there. My own stand on this is I think we should give students just about every opportunity we can. But on the other hand I think we have to realize that campuses offer the education to the students in a stratum of quality. And on my campus in particular when I came here there was a very strong sentiment that we were allowing some students in the door who did not have a ghost of a chance of making it. A very strong sentiment among staff members and faculty that it would be best for those students to develop the skills they needed to succeed at another institution because we could not provide them all the remedial work that was necessary. So I think we have to take a balanced viewpoint of this. I love

for students to have as much opportunity as possible, but then again I have a frank recognition that we can't necessarily be all things to all people.

HERBERT: Ruth?

PERSON: I just want to say something about home schooling because I came from another state in which this is becoming a significant problem and we really didn't deal with it very well. If you talk about the fact that you require a Core 40 diploma or an Honors diploma then the word diploma gets in the way—they don't get a diploma, they get a series of educational experiences through a variety of mechanisms. We've got a long way to go on this and I was just looking at some data that happened to be about Indianapolis and Marion County and the surrounding counties about this and it was a Workforce Investment Board Report but I just happened to turn to the page about educational levels and about the significant increase in the number of home schooled students just in that area, let alone other areas. So I do think it's something we really need to help those parents or those guardians, or whomever is in charge of those students, give them some guidance that they need because I don't think this is an issue that's going to go anywhere but up. So I would encourage the committee to really take a hard look at that.

HERBERT: I'm sure Bill has heard.

WHEELER: If I could just respond to that. So it's the state that would like to require the diplomas, that is not what we were proposing.

PERSON: I realize that.

WHEELER: We were simply saying that you need to have the courses that are equivalent to those but we weren't suggesting that you had to have the diploma.

PERSON: Yes, I realize that.

HERBERT: Is there any other business that should come before the Council today? Hearing none is there a motion that we adjourn? The meeting is adjourned.

Adjourned at 4:32 pm.