

**Indiana University**  
**BLOOMINGTON FACULTY COUNCIL**  
**January 24, 2012**  
**IMU Georgian Room**  
**3:30 P.M. - 5:30 P.M.**

**Attendance**

**MEMBERS PRESENT:** Randy Arnold, Abhijit Basu, Bonnie Brownlee, Carolyn Calloway-Thomas, LaNita Campbell, Shu Cole, Gregory Demas, David Estell, Tony Fargo, Pnina Fichman, Jeffrey Gershman, Tom Gieryn, Donald Gjerdingen, Matthew Guterl, Lesa Hatley Major, Robert Jacobs, Bruce Jaffee, Edwin Jimenez, Rebecca Manring, Jane McLeod, Patricia McManus, John Paolillo, James Perry, Patricia Riesenman, Lauren Robel, Bret Rothstein, John Schilb, Jim Sherman, Grant Simpson, Marietta Simpson, , William Swanson, Joey Tartell, Herbert Terry, Frances Trix, Jason Turner, Barbara Vance, Maxine Watson, William Wheeler, Tony White, James Wimbush

**MEMBERS ABSENT WITH ALTERNATES PRESENT:** Mary Popp (Courtney Greene), Andrea Singer (Dot Porter), Sarita Soni (Ruth Stone)

**MEMBERS ABSENT:** Joyce Byrer, Kevin Courtney, Constantine Deliyannis, Mark Deuze, T. Scott Herring, Padraic Kenny, Justin Kingsolver, Susan Kovacich, Michael McRobbie, Sherri Michaels, Tim Mickleborough, Theresa Ochoa, Elizabeth Raff, Deanna Reising, Sima Setayeshgar, Bryce Smedley, Geoff Sprinkle, Sonya Stephens, Jerrold Stern, H. Wayne Storey, John TaFoya, Pat Thomas

**GUESTS:** Amanda Ciccarelli, Kristen Clark, Craig Dethloff (Faculty Council Office), Catherine Dyar, Dina Kellams, Adam Herman, Roger Levesque, Dan Rives, Christopher Troilo, Barbara Wallace (Faculty Council Office)

**Agenda**

1. Approval of Minutes

<http://www.indiana.edu/~bfc/docs/minutes/11-12/12.06.11.pdf>

2. Memorial Resolution for Richard L. Pfister

<http://www.indiana.edu/~bfc/docs/circulars/11-12/B31-2012.pdf>

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3. Executive Committee Business (10 minutes)

(Faculty President Carolyn Calloway-Thomas)

4. Presiding Officer's Report (10 minutes)  
(Interim Provost Lauren Robel)

5. Question / Comment Period

6. Review of Non-Reappointments for Tenure Probationary Faculty and Librarians (20 minutes)  
(Professor Tom Gieryn, Vice Provost for Faculty and Academic Affairs) [ACTION ITEM]  
<http://www.indiana.edu/~bfc/docs/circulars/11-12/B32-2012.pdf>

7. Resolution on Reporting Benefits to IU Faculty (20 minutes)  
(Professor Mary Gray, Chair of the Benefits Committee) [SECOND READING]  
<http://www.indiana.edu/~bfc/docs/circulars/11-12/B30-2012.pdf>

8. SAA Stipend Review Committee Report (20 minutes)  
(Professor James Wimbrush, Dean of the University Graduate School)  
<http://www.indiana.edu/~bfc/docs/circulars/11-12/auxiliary/StipendReport.pdf>

### Minutes

#### **AGENDA ITEM 1: APPROVAL OF MINUTES**

**ROBEL:** Hello. There are a lot of you I know, and I'm delighted to have the opportunity to see again and to work with you again. I'm Lauren Robel. I'm the Interim Provost, apparently drunk with power, and having a gavel in my hands again and not being in front of a Moot Court Room. But just thrilled to be here with you and looking forward to whatever time we have together as I'm the Interim Provost, but we'll begin by asking for a motion on the approval of the minutes. Ms. President, is that the—

**CALLOWAY-THOMAS:** --Yes, that's the—

**ROBEL:** Alright. Is there a motion to approve the minutes?

**TERRY:** So moved.

**CALLOWAY-THOMAS:** Herb Terry.

**ROBEL:** Okay, thank you. And the second, I assume?

**SWANSON:** Second.

**ROBEL:** Okay, thank you. Discussion? Alright. Could I get a vote, please? All in favor? [Aye]. And opposed? [Silence]. Good. Terrific. I'd like to, then, call on Vice Provost Tom Gieryn for a memorial resolution please.

## **AGENDA ITEM 2: MEMORIAL RESOLUTION FOR RICHARD L. PFISTER**

**GIERYN:** In June 2010, the Kelley School of Business lost one of its long time intellectual leaders, mentors, and administrators. Richard ("Dick") Pfister, Professor Emeritus of Business Economics and Public Policy, was born in Hiawatha, Kansas and grew up on a farm near rural Powhattan, Kansas. He began his education in a one-room school for the first six years of his education. In high school he was a multi-sport athlete who excelled in basketball, earning all-state honors and leading his team to the state tournament all three years that he played. He was recruited by Hall of Fame basketball coach Phog Allen to play basketball at the University of Kansas, but Dick decided to focus on his academics and turned down the basketball offer: a plus for the economics profession and Indiana University. Dick was a Phi Beta Kappa graduate of Kansas. He also earned a M.A. there before continuing his education at M.I.T, where he was awarded his PhD degree in economics.

His first academic post was at Dartmouth College, which he joined as a faculty member in 1958. In 1966 he joined the faculty of Indiana University as Professor of Business Economics and Public Policy where he remained until his retirement in 1987. For five years he was the director of the Division of Research (now the Indiana Business Research Center) in the School of Business, a period when the organization expanded its scope, especially in the area of economic modeling and forecasting, and developed a reputation as the leading source of expertise, information, and data on economic conditions and the business situation in Indiana. During his career Dick served as a consultant to various corporations and business and governmental groups and spent a year with the U.S. Department of the Treasury developing international tax policy.

Dick was a leader in regional analysis and urban economics. He published widely in these areas. He was instrumental in developing the field of urban analysis at IU that involved faculty from several disciplines. He was part of a team of faculty members who developed the first econometric model of the Indiana economy. He chaired eleven doctoral dissertations and was a committee member for another forty-three dissertations.

Dick was a quiet but effective mentor to young faculty members in his department. When one new member arrived in Bloomington in 1976 he recalls that he found that half the department was left-handed, including Dick, and strangely all had adjacent offices. Dick took a strong interest in all the new faculty members and was always available to give constructive advice, whether it was related to career development, economic issues, dealing with students, or IU

basketball (Dick was a season ticket holder for more than 40 years). Dick was a great listener and an even better dispenser of wise advice. He was a quiet conservative, the kind of person who could always help colleagues and students understand the various positions on economic policy matters.

Dick's wife Harriet was a long time staff member in the Department of Economics in the College. Bridging the campuses two economics department, Harriet coordinated an annual birthday dinner for more than twenty years between Dick and Elmus Wicker, the longtime chair and leader in the Department of Economics. These two great minds typically ignored the dinner and even the birthday cake to have spirited conversations about a long list of economic and political matters. Though they baited each other, the discussions were always civil, thoughtful, usually fact based, but a bit acerbic.

In retirement Dick and Harriet travelled extensively both in the U.S. and abroad to visit family, friends, and new sites. Dick was a passionate skier and only gave that sport up when he reached 80. He was active in the Unitarian-Universalist Church in Bloomington.

In addition to Harriet, Dick is survived by his son Charles, a private investigator in San Francisco, daughters Catherine, a software engineer for Hewlett-Packard in San Diego, and Margaret (Lahn), an IT portfolio manager for Eli Lilly in Germany, son-in-law Michael Lahn, also with Eli Lilly in Germany, and two grandchildren, Daniel and Rena.

In memory of Dick's great contributions to Indiana University and beyond, be it resolved that this memorial resolution become part of the minutes of the Bloomington Faculty Council and that copies of it be sent to members of Dick's family.

### **AGENDA ITEM 3: EXECUTIVE COMMITTEE BUSINESS**

**ROBEL:** [indistinct comment] stand for a moment in recognition of Professor Pfister. [Silence]. May I recognize our President?

**CALLOWAY-THOMAS:** Thank you, Lauren. First I'd like to welcome you all back from semester and holiday break. I hope that you had an exhilarating respite. And I want to say, "Happy New Year," to all of you, and I also would like all of us to extend the warmest welcome to Interim President—Provost, I should say, Lauren Robel. I am moving you up faster. [Laughter]. We are delighted—

**ROBEL:** --Please don't! [Laughter]

**CALLOWAY-THOMAS:** We are delighted that you have joined us, and we look forward to a lovely and productive working relationship with you. And, of course, as we welcome Interim Provost Robel, we certainly should remember our outgoing Provost Hanson, who served us so

well. As you know, she was a stalwart, dedicated advocate of faculty governance at Indiana University. And you should know that on behalf of the Council, that members of the BFC Executive Committee gave Karen a beautiful gold leaf brooch as a token of our collective appreciation, so that she can maintain her membership in the Madeline Albright, Hilary Clinton, Condie Rice brooch-wearing, powerful women's club. And in keeping with membership in the special club, we also hope that Karen will use her jewelry as a diplomatic tool during her tenure at the University of Minnesota. On Monday, I received a lovely note from Karen that I would like to read:

"Dear Carolyn and Members of the BFC, Thank you very much for the extraordinarily beautiful brooch! I will think of you all whenever I wear it, which will be often! Again, many, many thanks. Let me also add that it's been a great pleasure working with you, with Carolyn--." I don't know whether she said decades or a decade. Let's go with a decade. "With some of you for less time, but always with pleasure. I hope our paths will continue to cross, and I wish you all the best both personally and professionally. With deep appreciation, admiration, and gratitude. Karen."

Next, I'd like to mention some other items. First, we're soliciting folks to run for the BFC, so you should be receiving some information from Craig fairly soon, so we'd like for all of you to come forward as quickly and as powerfully as you possibly can, and put your names forward for the BFC, or make nominations for individuals that you'd like to see serve on the BFC.

Secondly, UFC Reform Committee is in the process of pruning and varnishing the UFC Reform document, and we will have a second meeting of that document on Thursday, January 26<sup>th</sup>— that would be 31<sup>st</sup>.

As regards policies on the free speech issue, members of the UFC committee have asked presidents of the various campus councils to consider the matter. The committee is tasked with, A) finding out what free speech policies exist on the campuses. Some policies have already been received and commented on. B) determining whether there's a synergy among various campus policies. And C) creating a comprehensive university policy to govern matters of free speech and the right of students peaceably to assemble. We've also instituted the UFC Core School Committee, which is moving along, as well as the Merger and Reorganization Elimination Committee, both of which will meet on Thursday, January 26<sup>th</sup>.

Now to a topic of long-range planning. As all of you know, the university is currently involved in some innovative and bold plans to restructure the way we do business at Indiana University. And in this context, and in trying to anticipate and imagine tomorrow, and take advantage of the huge reservoir of ideas that faculty have, the Long Range Planning Committee, chaired by Professor Guterl, is asking the Bloomington Faculty to send suggestions to the LRPC, with an

eye toward generating new and vibrant ideas that we will need to sustain us in this century. Perhaps I should say within the next ten to fifteen years—maybe a century is too long. After we have collected what we will—we hope will be an enterprising and compelling series of suggestions about how to make education at IU more fulfilling with students and faculty, our goal is to arrange meetings with members of the Board of Trustees, the provost, the president, the deans, and vice presidents to discuss salient and significant issues as necessary.

As you know, the programmatic agenda of the Long Range Planning Committee ultimately rests with all of us, and we view this as a communal enterprise. And based on an article by Leonard that appeared in the Herald-Times—how many of you saw that article that appeared in this past Sunday's Herald Times? Based on that article, and based on the three state legislative bills in particular that are being tracked even as we gather here today, it is crucial for faculty to develop productive strategies for managing the swift, challenging changes that are occurring in higher education today whether we will them or not. I'm, of course, referring to legislative bills related to degree credit hours that was discussed in the article, resident tuition, and state educational institution grading policies. Collectively, these bills and other issues signify that we must develop mission statements, programs, and structures to meet the academic, cognitive, and behavioral demands of the twenty-first century or change will be imposed upon us. So the issue of long range planning is a significant one, and for this reason, we need the best and beautiful proactive ideas that you can generate for us, and I think most of you probably have already received an item from the Long Range Planning Committee, asking that you submit your collective ideas, and so far Matthew and I and others, have received some really excellent ideas. So we really do look forward to receiving ideas with regard to that.

And finally, we will revisit the Ken Gros Louis situation at the next meeting of the BFC Executive Committee. And we have a document that we're pruning and tinkering, and we hope to bring it forward to the BFC at the next meeting. So those are the ideas and items that I have from the Agenda Committee.

**ROBEL:** Thank you so much, Ms. President. Is it customary to have discussion or to move on?

**CALLOWAY-THOMAS:** No.

**UNKNOWN MALE SPEAKER:** Move on. [Laughter].

**ROBEL:** Move on in the agenda.

**CALLOWAY-THOMAS:** People will ask questions during the question and answer period—

**ROBEL:** --Alright—

**CALLOWAY-THOMAS:** --if they have some.

#### **AGENDA ITEM 4: PRESIDING OFFICER'S REPORT**

**ROBEL:** Well, the next thing on our agenda is the Presiding Officer's Report, and having been in my position for less than a week, I don't have a big report. I am struck in the one week I've been in this position with the breadth and the complexity and really the deep humanity of the intersections between the campus and the provost's office. I am watching, as are other people in Bryan Hall, quite carefully the pieces of legislation that Carolyn mentioned, particularly the credit hour limitation bill and the bill that has to do with articulation of a general education core, which—both of which are obviously of deep interest and concern to me and to faculty members and to everyone else who is in Bryan Hall and dealing with issues in the legislature right now. The main focus I have at this moment is trying to read through all the various reports that have come as a result of the New Academic Directions initiatives, and to assure that I understand the faculty's position with respect to the pieces of New Academic Directions that have gone through faculty committees and gone to the relevant—well, I think both of them have actually gone to Dean Singell. And, other than that, I thought I—I know so many of you, but I don't know all of you. So I thought that perhaps you—I could just tell you a few things about who I am.

I've been on the campus—well gosh, I'm a graduate of Indiana University's law school here in Bloomington. After a few years away from Bloomington in Chicago, I came back as an assistant professor, twenty-six years ago. I've had the enormous privilege of working with the incredible colleagues at the law school for that twenty-six years, including this man who is sitting to my right [indicating Prof. Don Gjernidingen, Secretary of the BFC] who is having a little difficulty typing these words at this moment. I was associate dean for I think probably ten years, eleven years perhaps. I was dean for about ten years. And I have an enormous, enormous love and respect for this campus. So the opportunity to spend time working with the BFC and the faculty members who are generous enough to commit their time and energy to thinking about issues of academic integrity and academic governance—all of the things that are so critical for faculty members to focus on to assure the academic excellence of our programs. I am really looking forward to that. So as much as I miss my colleagues across the alley from Bryan Hall, I'm just looking forward to having the opportunity to work with a new set of colleagues, and some really old friends. And that is my report.

#### **AGENDA ITEM 5: QUESTION / COMMENT PERIOD**

**ROBEL:** I'd like to turn to the question and answer period. I have one—and comment period. I have one question and it has to do, actually, with the Gen Ed bill that's going—that's being considered right now. I can—I think, perhaps, the way to go here is simply to read it:

“The Indiana Senate is considering a bill considering the transferability of General Education programs from one state institution to another. What is your present view concerning the impact the bill might have upon IUB, what actions are the campus and university administration’s taking or contemplating to safeguard the integrity and quality of IUB’s General Education Program?”

I think that the question accurately identifies the issues at stake here, which are the integrity and quality of our general education program. And the bill is not far into the process. And what I can say about it at this point is that it is an object of a great deal of discussion between the folks in Bryan Hall and the relevant people in the state legislature to try to assure that we retain control over the content of our curriculum. With that, I think, shall I open the floor to questions and comments? Yes, Herb?

**TERRY:** Unless there are other comments, I’d like to comment today on the upcoming search for IUB’s next Provost. Two weeks ago, the campus held a “program and reception” at the IU Auditorium to honor and thank departing Provost Karen Hanson. I know that someone of you attended, but some did not, I want to share some comments made there by former BFC President Lisa Pratt, and comment on them briefly myself, because I think they address important concerns associated with the selection of our next non-Interim Provost and because no official transcript of the event was prepared that might highlight and preserve Lisa’s important comments.

Lisa, of course, had many words of praise for Karen. I won’t repeat those here. But looking toward the next Provost, however, I found the following quotation particularly apt: “As Provost, Karen has defended the fundamental roles of faculty governance, academic freedom, and economic equity in the face of a nationwide focus on financial metrics and technological advancement at major universities.”

We should, I think, seek a Provost with similar robust commitment to the faculty’s role in governance, academic freedom and economic equity. Those were among Karen’s highest values and they should be equally important to her successor.

Lisa continued with additional comments that are more specific and, I think, equally important. “Karen has been a powerful proof-of-concept that an eminent scholar and a woman can come up through the faculty ranks and be appointed to a vice-presidential position at Indiana University. Her departure raises questions about the retention of highly visible senior women, leading to an urgent call for a proactive vision. On the eve of her departure, I ask the President and Trustees to look within rather than turn outward as they seek a second Provost for this special university. The voice of a home-grown provost resonates with the specific challenges



faced by faculty and students on the Bloomington campus at the beginning of the 21<sup>st</sup> century. I'll address Lisa's observation about gender shortly—don't worry, that's coming.

First, however, I note that don't fully share Lisa's belief that a "home-grown" Provost is essential. Personally, I believe Minnesota's search—which produced home-grown finalists in addition to Karen—is a sound strategy. Karen's appointment at Minnesota demonstrates that strong Provosts can be found outside of the institution they may be chosen to lead if they bring relevant academic experience and at least some familiarity with the institution. I'd not foreclose from consideration for our Provost current "outsiders" with prior IU experience.

Opening the search to external candidates has another advantage, I believe, as it will require that the job description present an attractive, appropriately powerful, office that will interest the best applicants. Minnesota's job description makes it clear that their Provost is firmly in charge of campus (and system) budgets and that academic Deans report to and are appointed by their Provost. Those roles have been murkier here at IUB. If outstanding candidates are to be attracted to IUB, I believe, ambiguities about the relationship here between the President, as CEO, and the Provost, as Chief Academic Officer must be removed.

I support Lisa's other observations without qualification. She stresses that our Provost must be "an eminent scholar" who has "come up through the faculty ranks." Persons who have done this are, I believe, more likely to be effective as Provost than persons who have not spent their time effectively in academic teaching and research trenches and have not achieved the scholarly eminence they are expected to promote as their role as Provost.

I also agree that Karen's departure means the campus, and the IU system generally, must be proactively concerned about the retention and promotion of highly visible senior women. With the departure of Karen and also of Vice President and General Counsel Dottie Frapwell, I believe we currently have no female Vice Presidents (other than, of course, Interim Vice President and Provost Robel). While I do not believe that gender should be decisional here, I agree with Lisa that the absence of women at the highest-level administrative ranks of this institution is undesirable and, frankly, unjustifiable. I trust that the President, the Trustees and the search committee once it is formed will be sensitive to this problem in the context of this search and that the President and the Trustees will develop plans to address it broadly. Thank you.

**ROBEL:** Thank you so much. Are there other comments or questions? I'd like to recognize, then, Vice Provost Gieryn.

#### **AGENDA ITEM 6: REVIEW OF NON-REAPPOINTMENTS FOR TENURE PROBATIONARY FACULTY AND LIBRARIANS**

**GIERYN:** [indistinct comment] this has got to take precedence. [Laughter] Welcome back, colleagues. What you have before you is a rewritten policy from the Academic Guide, and I suggest the word “rewritten” as opposed to “revised” because the intent of these changes is not to change the substance or the procedural expectations surrounding these processes, but rather to put a policy in a textual form that is more clear and straightforward. As with so many of our policies, it comes in stereoscopic form, so on the front page, and two lines on the back is the policy itself, from the Academic Guide, with all of the tracked changes, so you can see what was there and what’s being put in. And then on the back is the narrative interpretation, which has also been revised.

Policy E17 is designed to tell us what happens if a tenure-track faculty member or librarian is denied reappointment during the probationary period. The existing policy is very clear, I think, about what happens if that non-reappointment decision is made during the fourth or fifth probationary year. If it’s the sixth probationary year, it’s a tenure decision, and that’s in a different category. So the policy formally was titled after the initial three probationary years, so we know what will happen if it’s during the fourth or fifth year. It is a review process if the faculty member chooses a further review, one that’s analogous to a tenure review itself. That is, additional materials are collected; it might involve the solicitation of external letters. The case moves, if it’s a department, moves to the college level for review, and the dean’s review, then to the campus tenure advisory committee, and to me. That much is clear. What was unclear is the residual, what happens when somebody is denied reappointment during the first three years of the probationary period. It’s got to be different than what I just described, otherwise they wouldn’t have gone to the trouble, those who framed the original policy, to separate, very clearly, fourth and fifth year from what came before. But the policy is not completely clear. So, to figure out what was actually happening, I meet regularly with the academic associate deans from all of the schools, and I asked them at a meeting last Fall, what happens if somebody is denied reappointment—tenure-track reappointment during the first three years, and they consistently said that the decision was made at the most local level, a department, if they have them, or at the school level. And if the department was—or the school—the decision was negative, that’s the end of it. Nothing else happens. The candidate is told about this, has the opportunity to respond at one level, but it doesn’t go for any further review.

So after we talked for a while, I presented this sort of a—this text, more or less in this form, as a way of clarifying the policy, and stating quite simply, as the first line of the policy does now, if a department or school does—decides not to reappoint a tenure-track faculty member or librarian during the first three years of probationary period, that decision is final, and no further substantive reviews are required.

Now, two things you need to know about this policy. One is, very importantly, that it is in the Guide, along with a companion policy, which is actually a UFC policy that we have borrowed and moved into our own policy document. It is in the Guide, policy E-9. This policy states, pretty much in full and complete detail, what happens prior to the stability of a non-reappointment decision. That is, it goes through all of the rights of the faculty member to submit materials to have them reviewed by a committee, to have the voting. You can read policy E-9 if you'd like. It's a companion in the sense that it covers the process up to the final non-reappointment decision. Where this policy E-17 kicks in, once that decision is made, then this policy kicks in. And, but you can tell if you've taken a minute to look at it, if it happens in year four or five, the candidate can choose further review, and then we follow that process, or, and now I'm going to indicate that this was a last minute change, or the faculty member may waive the right to further review, and at the same time, acknowledge in writing that their appointment at IUB will terminate on or before the end of the present contract. So, that companion document means that it wasn't necessary for me to go through a description of the full review process. It's covered there. But only to specify what happens after a non-reappointment decision is reached.

The other point that I need to emphasize before I open it up for discussion and comment, is there were some last minute changes in the version that was initially posted by Craig. There are three such changes. One, and I didn't highlight these—this first one, anyway, because there were too many. Of course, I inconsistently added librarians to the mix, and I heard from Carolyn Walters, who asked me to put librarians in consistently, and I believe I did. So, the policy applies both to tenure-track faculty and librarians.

Secondly, if you'll look at that—what is really now the first paragraph, but the big shaded area that I just read, that replaced a sentence that actually said that the choice is to resign. A couple of deans wrote back and said that really puts the faculty member in a very uncomfortable position. They've just been told they're not being reappointed, and to ask them to resign—it's not completely honest. They weren't reappointed. They may not want to resign. So we changed the wording to the one that you have here. The important thing is that we have to have in writing an acknowledgement that the faculty member, in waiving the right to further review, acknowledges that they will leave the university's employment sometime between that moment and the end of their contract. They can choose to leave early, or they can take the full year in hand that all of them have.

The third and last last minute change, most of you are well aware that the appeal and grievance process that works through the Mediation Committee and the Faculty Board of Review focus on—focuses on procedural matters only. And, what we needed to do in this policy, because there has been some confusion, both in the deans, and some candidates, and even in my own

mind, about further review as opposed to the appeal process. Further review is a substantive review, that is, it takes in to account the accomplishments of the faculty member as measured against the expectations and criteria. An appeal process through the BFC governance bodies, FBR and so forth, those are focused only on the possibility of procedural irregularity. So, to heighten the difference there, I added the word “no further *substantive* reviews are required.” An appeal is always available to any faculty member at any point, and that is stated in the very last sentence of the policy: “may choose to appeal any non-reappointment decision on procedural grounds.” To conclude, I hope this is read as a good faith and sincere effort in the interests of the original faculty members who wrote the policy to convert it into a language that clarifies procedures for these sets of circumstances.

**ROBEL:** The floor is open.

**TRIX:** I have real problems with this. I don’t like your clarification in the least, no offense. I think the third year is the problematic year. I think the fourth and fifth year are much less problematic, and I think the third year is when I really want to make sure faculty have due process. And you’re saying that all these procedural things are clear, but at least the language I first received, “no further reviews are required,” that kind of frightens me. Now, what we received—well, that’s basically what we received today, too. You’re saying that there’s always review, but that first sentence is—feels pretty final, and I actually think the third year review is the most important, and I would be against this. I know of two very horrid situations, and it’s usually in smaller departments where there were jealousies, and there were chairs that were bullies, and if there had not been some kind of—in one case, the faculty is still in adjunct status after fifteen years because she didn’t fight it. I think this is where you really do need due process, and so I would be definitely against this sort of thing.

**GIERYN:** It’s—the policy is owned by the Bloomington Faculty Council. This Council wrote the policy. This Council can revise the policy as they wish. I only point out that what you’re asking is a change in the policy. I didn’t change the policy. The original policy, as worded, granted the rights of further review only to those who were denied reappointment in the fourth and fifth year, so it’s fine with me if the Faculty Council would like to change the policy, we can change it any way you wish. But I want to make clear that what I was trying to do was simply restate. I didn’t say ‘third year, you don’t get the further review.’ That was in the original version of the policy.

**TERRY:** When I got the [indistinct comment] from Craig, I sent it around to two organizations. I sent it to the Executive Committee of AAUP, and I sent it to the members of the Policy Committee in the College of Arts and Sciences. I sent it to AAUP because I have been a member—I am actually a member of the Executive Committee, and we’ve had, in Committee A this year, some problematic third year reviews. And I, too, was struck by the note that it

basically said that the departments decide to do, that third year review is only appealable on the basis of procedural error. Frankly, some of those were procedural errors as well as other things. I sent it to the College Policy Committee because I was sort of aware, from reading their minutes, that they were considering College Policies on appeal of third year reviews. But what I've learned today from the College Policy Committee, from its chair, John Lucaites, is that they are indeed already doing that. They, I think, are moving in the direction of something that would grant members of the faculty in the College an ability to appeal a departmental decision at third year to the College P & T committee. They haven't finalized that. That's not what they decided to do, but they're sorting of moving in that direction. And the Chair of the Policy Committee wrote back to me and indicated he was afraid that if we adopted this thing today, we would, as a matter of campus policy, be blocking them from doing something they've been putting some attention into trying to put in to place.

I agree with Tom. I looked through the record to 2003. I agree that this is an accurate summary and restatement, getting rid of some of our bad language of what we've had in place, but I'm not sure that at this point we are either prepared to affirm that policy in this form or to actually decide what kind of an appeal of a third year review would be best. I think we need to wait awhile and find out what the College Policy Committee has in mind for it, the policy committees of the other schools, and subject it to some comment. I don't know that we have a pressing need to clean up the language of what we currently have, given the course of that, we reaffirm a policy we are not certain about. So, I would tend to recommend at the moment, that we refer this to other faculty units concerned with the rights of faculty in the various schools around the campus and get their feedback on this, and do that expeditiously, because I [indistinct comment], especially if they're going to be changes. But we should be reasonable we should let the Policy Committee in the College and elsewhere continue the process they've apparently already begun.

**PAOLILLO:** I'm having a little difficulty reconciling the idea that this is a rewriting of the existing policy statement with the process of trying—discovering an ambiguity in the policy, and then going to administrators and ask what has been done. I don't see how something that's codified as a result of that can be anything other than the creation of new policy, at least policy that was not considered when this was adopted in the first place. Is there anything you can clarify about that process that would maybe suggest that I'm mistaken in some way?

**GIERYN:** No, I don't think you're mistaken. I'll be honest. I've had problems interpreting this policy from day one. The associate deans have reported to me that they, too, have had problems. I simply want a clear policy because—and so do they—because they, and going down to the department chairs and our faculty committees on review committee—and members on review committees, all of us need to know exactly what's supposed to happen. So,

whether I happen to rewrite this, as I did, or the Faculty Affairs Committee—the important point is let's get a very clear understanding of what we want, and if Herb's suggestion is just fine, if you want to slow it down and send it to the various school policy committees, to the Faculty Affairs Committees, that's just fine. The only reason why, and those of you who know the history of this rewriting, why I've asked for a little bit of urgency is we have cases before us, and in talking with the deans, there were a couple of cases that came up last December. There may even be more cases that I don't know about of faculty members who are in exactly this situation. They're in their third year. They don't know what to expect. The policy is not clear, and we've futzed along thinking we could make it work. Empirically, what we did is what I wrote down. Okay? If we want to now say we reconsider that and open it up, we can do that, but then those faculty members whose careers are very much on the line will be of necessity evaluated, considered, and dealt with in terms of the existing policy until we pass a new—you pass a new policy. I felt it was a sufficiently urgent matter to try—I won't use the word railroad—to try to rewrite it and clarify it and get it as quickly through the Executive Committee of the BFC. They decided to bring it to the full Council, and now it's being aired. We do what we will. I simply report that there are several cases that are hanging in the balance.

**ROBEL:** Jim?

**SHERMAN:** Yeah, I think if there's a policy on the books that's ambiguous and difficult to interpret, it shouldn't be there one minute longer than it needs to be. I see no benefit for keeping an ambiguous policy on the books, and Tom is saying that the interpretation of this ambiguous policy is most likely consistent with what he rewrote, so I see no problem at all in substituting what Tom wrote for the existing policy. As far as changing it, that would be fine. Only that will take time, and we'll have that ambiguous policy on the books for much longer than need be. So, I would be in favor of passing this and then moving to changing it if you'd like to change it. With respect to what might be done, people are focusing on the third year, which I don't understand. You can have a vindictive, bad dean and a bad department in second year or first year, so if you take care of the third year, what happens to someone in the second year? I mean, I think it has to be carefully considered why the third year is any more magic than the fourth year or the second year. So, that's going to take some consideration, and discussion, and in the meantime, I would rather see an unambiguous statement in policy than an ambiguous one.

**ROBEL:** Basu?

**BASU:** I'm okay with the last paragraph, which is in the middle of the second page. When you say that [indistinct comment] period somebody wants another review, they will get an extended review analogous to the tenure process. We don't set a timeline. It appears to me

that in pragmatic terms, it would extend in to the sixth year if not the seventh year if this goes on. You want to say something like “not to exceed one year” or something like that?

**GIERYN:** Yeah. It’s a good point, Basu. The timing of all of this—there’s a bunch of stuff. I mention that companion policy, E-9. There’s a bunch in there about the timeliness of it that I— I’m not going to be able to pull out on the fly, but does clarify. What’s very important about this—I mean, in practice, what we do now is if a non-reappointment decision appears likely, we try to get the chair or whoever the administrative official is in charge, to get that process going as quickly as humanly possible so that we, more or less, reach a decision by April 15<sup>th</sup>, which is the deadline for informing the campus of a non-reappointment. So, it’s got to be fit in there, but there’s nothing in the policy. That’s something to consider—whether we need some time constraints in there. You’ve got to—all the units need to reach that reappointment decision by April 15<sup>th</sup>. That imposes a deadline. Yeah?

**WATSON:** I had a question about the focus. You had mentioned that it was the fourth and fifth years that would be primarily affected by the change in policy, but it sounds like some of the cases you’re facing now are third year review cases. So I was just wondering, in terms of time, is this affecting relevant cases coming before you?

**GIERYN:** Yeah, Maxine, the fourth and fifth year, those are the people that have the right to request the further review if they want it. The issue is what happens before that. I have—and so somebody in their third year right now who is being told, “we are not going to be able to reappoint you,” and it’s their third year, is—except for this translation is in a kind of limbo.

**WATSON:** And that leads me to my second question, and that goes back to the first part about the new document where you say, “no further substantive reviews are required.” That seems like that’s speaking to the department. Do I really have to give a complete review to this individual? And I think you also need an answer, is if they have substantive review allowed, which is a different issue, because that’s a candidate’s issue.

**GIERYN:** We kind of kicked around the word, “require.” What does it really mean there? Is it permitted, is it allowed? Is required—not required? What do we really mean? Practically, in our conversation, and again this is with the academic associate deans who are trying to figure out a policy that they’re expected to implement. Their thinking was that this was the end of the regular substantive review process, that if a decision was made by the department in a departmentalized school, it didn’t go for further review to the school. That’s very explicit. If there was an appeal on procedural grounds, that’d kicked it into a different cycle of events, but that’s what that meant. And I don’t know if the word “no further substantive reviews are required—.” “Allowed,” is even more—I mean if we wanted to go back to the original suggestion, or whoever brought in the—Herb, I guess—with the College Policy Committee

kicking around the idea that a non-reappointment decision, regardless of the year, could then go to the College tenure committee, and to the dean for a further substantive review, that would be inconsistent with this policy as written—it would—and inconsistent with the practice as I understand it, including in the College now.

**WATSON:** I guess I don't see that. All it's saying is it's not required, it's not saying it isn't allowed, but I think that's a word choice and it bothers me [indistinct comment], that's fine. But I guess to me the larger question is we need to be careful about not making third year reviews into tenure reviews. And so there's a balance between asking too much and not asking enough.

**GIERYN:** And I am really glad you brought that up. And this is where I've got to direct your attention back to the first paragraph in the narrative interpretation. I've only been in this job for three years. During those three years, I have seen an increase in actual and potential non-reappointment decisions during the probationary period—just numerically. We're not talking huge numbers, but whereas it might have been one or two, it's now four or five and even maybe seven this year that I have been aware of. It's not supposed to work that way, okay? And what I wanted to say, and I wanted to point this out, is that I believe that when we hire tenure-track faculty, the guiding premise is that they get that six year probationary period, and it's not only the time, they're getting the mentorship, they're getting the resources, they're getting the advice, and the opportunities to succeed. We're not a university that hires people so that we can get rid of them quickly. The objective is to allow faculty members to succeed. This is a policy, for those unfortunate few—we hope—circumstances where despite all of the mentoring, the active guidance, counseling, and opportunities and resources, it doesn't work out. Okay? But I think the important thing—that line may be as important as any of the if/thens, because what it says is we have a commitment, and this is really a shared commitment of all of the tenured faculty, we have a commitment to provide those resources, opportunities, and mentoring, otherwise this is kind of an empty process, isn't it, to bring people in and tell them to sink or swim? We don't do it that way, at least we don't want to think we do it that way, and I don't believe we do it that way. So, what troubles me, though, is this increase in the number of cases. Some of it has to do with—I don't know!—unsuccessful recruitment efforts. One could argue that. Some of it may be due to the fact that in certain circumstances, faculty are not properly mentored, they are not properly provided with resources, opportunities to succeed along the tenure-track, and those really worry me. So I have a lot of serious concerns raised by that question about this whole process. And I'll just end with this: I have no idea why the magic line was drawn between the third and the fourth probationary year. I could guess, but some people who were around at the time, nobody provided an explanation to me of why the decision was made that only this policy only applied to non-reappointments in the fourth or fifth year.



**ROBEL:** Frances?

**TRIX:** I really think that those third year people should have the right to make their case, and I just know of two really horrid cases, and it can't be just procedural grounds. Now, they may choose not to, but to say they don't have the right to make their case, I think is wrong. And the fact that this number is increasing, I share with you that, you know, when IU hires somebody, that's a commitment. We have new chairs coming in that maybe don't understand this mentoring. I really think people should have a chance to make their case, and the language you have put in says they really don't, if they can't find that procedural—I don't want to get into specifics, but we lose, and in my experience, it's smaller departments that are really like this, and the department suffers for years afterwards.

**ROBEL:** Jacobs?

**JACOBS:** I just have a question. Currently, policy E-17 here does not really address the first three years [indistinct comment]. Is that correct?

**GIERYN:** By inference.

**JACOBS:** By inference it doesn't. It addresses the fourth and fifth year. So you're rewriting this and addressing what happens in the first three years. I hate to say it, but I think this is a new policy that, you know, because it wasn't covered in the original policy, you know, and I would hate to see some existing cases be subjected to something—this is a second thought, by the way—be subjected to something that was different from when they came here, you know? I don't think that's fair, in some way, even though it's ambiguous what's going on. I agree, by the way, based on my experience with our tenure committees and stuff, that what you say here is what's going on. I totally agree with that, at least in the business school, but I think this is a different—I think this is a new policy. By the way, I don't have any problem with it, you know, I think this is a good policy, and I think this is good, and I would support voting yes on this right now, but I think it's a new policy really; it is not just a restatement of something that's going on here.

**COLE:** Would you please clarify again what is the—why is it necessary to separate year three, year four, and year five? What is the substantial difference between year three and year four and year five, and do we need separate policies for those?

**GIERYN:** That's a mystery. In all honesty, it is something of a mystery. There's one logic that says that by the time a faculty member is in his or her fourth or fifth year, they have been here for a substantial period of time—okay?—most of the probation—over half. That does two things. One is it gives us a more reliable, empirical basis for making a decision. This doesn't really hold up in the end, but you feel that there's enough out there to make a decision. But

the other reason is that they're closer to the actual tenure decision. So if you think of the cycle of a career and the progress, they're entitled to that review because they're closer to that moment when they were going to get it anyway if they had survived until year six, and I think that might have been the argument. Now, why the line was drawn between the third and the fourth year? This is what we don't know, and it may well be that we want to settle this differently than they did back in 2003 when this policy was first written, and that's up to the Faculty Council.

**COLE:** But, if that's the case, we may or may not need to have two separate policies. Maybe just one policy looks at midterm termination. Basically, before you get tenure termination. Unless there's a necessity, why we have to separate whether you get terminated by year three, year four or year five. If not, why don't we just have one policy address any kind of before tenure kind of termination?

**GIERYN:** That's certainly a direction you could take this. And the intent was to have a single policy that actually described, at any year, what would happen with non-reappointment. That is the goal.

**ROBEL:** Jim?

**PERRY:** My understanding is that we make a specific determination in the third year about reappointment of people, and that the original—I mean this is talking about the original contract as being a three year contract. I know I'm sitting on four third year review committees now as a member of our P & T committee. I don't know whether the policies are the same across the university, but we're certainly making a—we're not making a statement about that you're going to get tenure, but we're certainly making a statement that there's progress in that direction, and that if we're going choose not to reappoint someone, it's a statement about—that we don't see progress during this probationary period. So I think the first three years are quite different than the others, and if we tell someone after we reappoint someone after that—in that third year, or after that third year, after that review, that's making a statement about we expect that you're going to be around to go through the tenure process, and then if we pull the plug after that, that's a sort of precipitous change from where we were previously. So I—I don't know whether my impressions are the same as practiced across the campus, but I can understand why there's a distinction between the first three years of the probationary period, and the other period—or the rest—the remaining period of the probationary period.

**GIERYN:** Jim, the coincidence of three years—that's the initial contract. All tenure—unless there is some strange things going on—all tenure-track appointments are initially for three years, but starting in year two, since we always do this one year in advance to have that year's notice, in year two, you are being asked to be considered for reappointment for year four. And

in year three, for year five, and so on. So, there's really nothing magical other than the fact that you are secure through year three. Okay? Unless there's a case of misconduct. Year four is an open question, but it depends on a decision made in year two, which is awfully early. But I want to highlight something you said. The reviews for reappointment, and the annual reviews generally for tenure-track faculty are intended to assist faculty members, to alert them to problem to provide suggestions and guidance for how to do better. It's got to be the rare and extreme cases, I think, that would end up in this bucket, and what worries me is the bucket is getting a little fuller and I'm wondering why, and I'm not sure, and I want to have a policy that I think reflects our values as faculty members in terms of what should be—what should happen in these circumstances.

**ROBEL:** John?

**PAOLILLO:** So, if I may attempt to restate what the reformulated policy would be, it goes something like this:

There are two probationary periods. First one, years one through three, is the probationary period in which the faculty member can be not reappointed and there is no further recourse other than procedural. The second probationary period is in years four, five, and six, at which point a faculty member is entitled to some kind of review—a tenure review.

**GIERYN:** Yeah.

**PAOLILLO:** I don't want to be—I think this would be a clearer statement of what the policy is than what we have in front of us. I don't want to be construed as being in favor of that policy, but I think that would be a clearer statement, and it would be one that, I think, people might be more likely to understand and appreciate. I don't want to be construed as being in favor of that policy because I do think it represents a major policy change. I have been party to a number of third year reviews, and I don't think it has ever come up that there is a change in the faculty member's status as regards their entitlement to a review process at those third year reviews, and that is something that I think would have to be communicated very, very clearly to promotion and tenure committees all across the campus before we could have any idea that they would really be operating, you know, in some kind of cognizance of that is what they're doing. And my final comment would be that my first reaction reading this is that the changes in this policy make it harder to challenge the university, and I don't—I really don't think the university needs this to be any harder to challenge. It's extraordinarily difficult for a faculty member, particularly a junior faculty member, to challenge the university for reappointment on these grounds.

**ROBEL:** Randy?

**ARNOLD:** In hearing what people are saying, I'm just wondering, does it create an undue burden to extend the opportunity for extended review back to the third year? If the numbers are in the single digits of cases across campus where the decision is no, could those fewer than ten people have the opportunity to appeal, if they choose to do that, right? I mean, I'm just thinking, if this were dozens of cases, I could see where it kind of creates a problem and we want to, if for no other reason, just be more efficient in not allowing the opportunity, but if the numbers are so small that, and someone thinks they can make the argument to maybe win that case, and maybe the smaller departments, this is an opportunity for them to be seen outside of their department, maybe they give that person an opportunity that, and maybe it's worthwhile allowing that review to happen in the third year. I don't know. Another substantial review.

**GIERYN:** Somebody pointed out before, my data come from academic associate deans. These are the people that would have to run it at the school level, and then pass it along to their dean. And I think it's safe to say, even though I don't think they are being hard-hearted about it, they would rather avoid the additional review. They would rather trust the department. There is an element of trust and there is an element of well-established value about the local judgment of our colleagues in a particular disciplinary department or an interdisciplinary department, but it shouldn't be lost—the fact shouldn't be lost that the people I consulted were the academic associate deans who would probably rather not have to deal with these reviews at that level if they feel the process was fair and open at the department level, and that's, of course, not a guarantee.

**ROBEL:** Jim?

**SHERMAN:** For me, I would be in favor of the ability to have full review for any year, first, second, third, fourth, or fifth. I don't see why it should stop at third. It seems to me, that if you decide in the first year that someone is going to be tossed, there's something wrong, and the cases may be very small, but they may be very significant, but I don't think that we can make that decision here today. We have two law school people there, and they may tell us that if the current policy says in years four and five you are allowed to have full review, does not that—does that not strongly imply that there's a difference in the first three years that doesn't have that [indistinct comment]? The other—

**ROBEL:** The one piece of advice I have received from somebody, Jim, was you're not the general counsel. [Laughter]

**CALLOWAY-THOMAS:** Is that from the president? [Laughter]

**WHEELER:** Can I turn to that word "required" again for a moment, please? Because I'm struck by how that phrase, "no further substantive review is required," the contrast between that and in the highlight area where it says, "the faculty member may waive the right to further review,"

so I'm wondering, you know, because the issue really is does a faculty member have the right, not whether something is required, but whether the faculty member has the right. And so I was wondering if you would consider, you know, in order to resolve the ambiguity, I think that what does that mean to replace that phrase, "no further substantive reviews are required" with "the faculty member has no right to further substantive review."

**GIERYN:** That captures—those words capture what I think we meant by the word "required," and I think the word "required" was in the context of nothing more was required for the final decision, that is, a reappointment was made, so that no further reviews are needed to warrant that decision of non-reappointment. But yes, that would clarify.

**ROBEL:** We're at about 4:35, and so this is a—it's listed as an action item, but I think it came from the EC to the BFC. I'm not clear whether that means it does not or it does require a motion for further action? You do need a motion.

**GIERYN:** Maybe I can make this easier. I had no idea what sort of reaction I would have gotten by proposing this as a restatement. What I'm hearing is—are many principled, serious, cogent concerns. Despite the fact that we have several cases pending, it's—even though Jim, I think, with the wisdom of Solomon, was proposing one thing, I think this policy needs some scrutiny. I would like to endorse Herb's suggestion from about a half hour ago or so that this be returned to the policy committees of the schools and we see what—and to the Faculty Affairs Committee of the BFC. Those cases that are pending, we get into that murky area of individual cases, but one thing, as you know, we do a lot of talking. We do a lot of reasoning. We do a lot of judgments that we think are based on principles. We'll deal with those cases as well as we possibly can, given the ambiguity in the existing policy. But I think this is too important to try to rush through, given the nature of the response from the Faculty Council.

**ROBEL:** Is that acceptable to the Council?

**ESTELL:** I was just going to say, you might want to add in that some measure of urgency for the unit deans because a lot of people seem to have kind of an issue with this existing policy, and, of course, as you're saying, as long as we don't change the policy, this is in effect what's going to happen, and so if people think that people prior to the third year are being treated unfairly, there may be some urgency to the units to go ahead and give us their feedback so we can move to a different policy if we're worried that that—that the existing practice is not necessarily fair in all cases.

**CALLOWAY-THOMAS:** Good point.

**TERRY:** If this was my suggestion of half an hour ago, I would second the urgency idea, and to move this along, I would say we refer this to Faculty Affairs, ask them to consult with your office and with the policy committees of the schools and as expeditiously as possible.

**TRIX:** And make sure that faculty are included in the committees, not just administrators.

**TERRY:** Well, the Faculty Affairs Committee will do that.

**TRIX:** That will have—?

**TERRY:** Yeah.

**GIERYN:** The school policy committees are faculty.

**ROBEL:** So is that, I assume, a motion from Herb—

**TERRY:** Sure.

**ROBEL:** —to refer to the Faculty Affairs Committee, and the—with consultation with the policy committees of the schools?

**TERRY:** And that they act as expeditiously as they can to bring this back to the Council.

**ROBEL:** Alright, and a second?

**UNKNOWN MALE SPEAKER:** Second.

**ROBEL:** Alright, discussion? [Silence]. All in favor? [Aye]. Okay. Opposed? [Silence]. Abstentions? I see none. Thank you so much, Tom. There's a second reading of the Resolution on Reporting Benefits to IU Faculty. And, I'd like to recognize Professor Mary Gray.

#### **AGENDA ITEM 7: RESOLUTION ON REPORTING BENEFITS TO IU FACULTY**

**GRAY:** Hi, everybody. I hope you're well, and I believe Dan Rives is here as well. Hey, Dan, do you want to join me? So if you have any questions for him. I'm coming before you again just to be able to field any questions about this proposal before you, and to fill you in any little changes that have come about. I think the two significant ones that—the one that would call for a friendly amendment and the old parliamentarian in me would think I can't do that to myself, I can't give myself a friendly amendment, so I might need one of you to consider making this amendment, and that's—that has to do with the standing of the standing committees for the UFC. So the last I heard there was a proposal before the UFC to dissolve all standing committees of the UFC. If that happens, this resolution needs a little bit of fine tuning under item 2. You'll see that we're calling for the membership of this advisory commission to include "representatives from the UFC Benefits Committee." And that might no longer exist, so we'd

need to tweak that. And the second issue, to fill you in on—and Craig can give me the—give us the specific numbers, I think, is that we're one of several different campuses that have moved a proposal forward to the UFC for a standing committee of this kind, and there's a range of language describing what it is that faculty want. Ours is one of those several, and I have had conversations with, I believe, all of the campuses that have submitted proposals. We were actually coordinating our language at one point so that the UFC wouldn't have too much to comb through. So for—are there folks here who would like me to give a quick recap of why the Benefits Committee—I'm the co-Chair of the Benefits Committee—why we made this, why we presented this proposal to you? Oh good! Okay. [Laughter]. So that's where it's at, and I think the last time we were here together when this was first introduced, we didn't have too much time to discuss this resolution, so if there are questions that you'd like me to take back to the Benefits Committee or questions that you'd like me to address now, I'd be happy to do so.

**TERRY:** Dan, I have a question for you. Given the budgeting cycle that the university goes through, when we seek bids and that sort of thing on our insurance policy and other benefits, did the dates in one and three work?

**RIVES:** No. So...

**TERRY:** What's wrong with them?

**RIVES:** Well, you know, the budgeting cycle—I'm not going to get this exactly right, but we'll prepare information for the benefit rates for the budget in February. And I think conclusion, end of February, March, and then the Budget Office takes that information, develops a rate, a tax if you will, which is distributed to every department in the university, so departments can prepare their department budgets. I know it was more specifically to item three, as opposed to one, so I—where it talks about the university providing information to the UFC Benefits Committee and the Budget Affairs Committee, information about our benefits budget, we can do that. We look forward to doing that, though it will probably at the end of February, early March. The other part—well, maybe Mary will get to number three later.

**GRAY:** Sure, and I did want to add, we had some brief discussion yesterday, the Benefits Committee met, and we had some brief discussion about trying to be more nuanced about how we're talking about the dates and the expectations, really the expectation is that a faculty advisory body will be informed of changes that are happening before they're published in a public venue like the Bloomington Herald-Times, so the expectation is that, you know, that's suddenly in this resolution. The expectation is that a faculty appointed advisory body is available to the faculty at large to find out, are there significant changes happening to the premium costs? So at the very point that we know, that the faculty know that, that we would be able to communicate that to the faculty in coordination with human resources. That's really

the goal of setting specific dates. So I think the feedback Dan's given us about what's possible, what can be disclosed when, is going to be an important part of the discussion, perhaps at the UFC level.

**ROBEL:** Thanks. Bill?

**WHEELER:** Turning to item one, perhaps I missed something. I don't recall having received, in the last two months, an analysis, and the date at the end of item one, I think is already passed.

**GRAY:** Yes.

**WHEELER:** And so I'm wondering, you know, what—how you would like to have that revised and whether you do, in fact, want someone to offer a friendly amendment?

**GRAY:** I would love a friendly amendment for the date. That was my optimistic statement last semester when I thought everything gets done in one meeting. So it would be great if someone would suggest a new date. For your first point, the information about the cost/benefits analysis has been distributed at different points from different administrators to different faculty bodies, so the goal would be to have it reissued, in a clear format, that's accessible to all faculty, perhaps, again, posted on the HR website. But that would be the goal, the reissuing. So if you hadn't seen some news, odds are you didn't miss it. It's not clear exactly who received it when, but the goal would be for this to say, 'We've got the information. Let's have it restated, and point faculty to it.'

**WHEELER:** Can we ask Dan to propose a date by which he thinks he could do this?

**RIVES:** As I understand it, we're talking about restating what we've already stated, so to the degree we're talking about cutting and pasting from a variety of documents, give me a couple of weeks...?

**WHEELER:** February 15<sup>th</sup>?

**RIVES:** Sounds reasonable to me. As long as it's not a Sunday. [Laughter]. But I'd do it before that anyway, so...

**GRAY:** I'll look up February 15<sup>th</sup>. Should I hear that as a friendly amendment?

**WHEELER:** Yes.

**ROBEL:** That's a Wednesday. Other questions or discussions?



**COLE:** Is this July 1 a reasonable time for allowing the committee to come up with numbers like on number three, the specific plans and payments, all of those schedules, to be done provided by July 1<sup>st</sup>, is that a reasonable time? Will the committee have that data by July 1, then?

**GRAY:** I'll ask Dan to address your question.

**RIVES:** No, it's not. [Laughter]. We won't have—so think of the plan you're beginning January 1. So you need sufficient data to do the analysis—as you know—to do the analysis for making plans for the next twelve months out starting the next January 1. So we don't really accumulate the analysis until July. So, it won't be until the end of July that we even start getting the data together. It'll be early August before you start putting the data together into a format that we can represent rates, premiums, plan changes. So the information about what the plans will be for the following January won't really even be available until toward the end of August.

**SHERMAN:** September 1<sup>st</sup> is a reasonable...?

**GRAY:** Is September 1<sup>st</sup> reasonable?

**RIVES:** If it's approved... I mean, so what I do is put together the information, I take it to someone else, and you know who that is, and you know, I think a real key here, if I—if you don't—may, is having the UFC—we have a standing committee that we can meet every month, month in and month out, so we don't get to an August, September, October with any surprises.

**GRAY:** Right.

**RIVES:** That, to me, is a really, I think, important factor.

**GRAY:** And just to reiterate, that's really the goal of this resolution is that there's something in place that says there are faculty available to Dan, and to HR, who represent the breadth of IU campuses who will be informed along the way, and so the information that we're talking about aren't necessarily final decisions. It's each month being able to check in and see where are we at. And when there's a significant change in—when the significant changes come in premiums, and benefits that are offered, that there have been faculty, not necessarily involved in decision making, but consulted as decisions are being developed and made between HR and the C.F.O's office.

**ROBEL:** Just a point of clarification, Dan. This is—the faculty would need to be available in July and August primarily?

**RIVES:** Yes, ma'am.

**ROBEL:** Okay.

**RIVES:** You know, that'd be nice. We—a lot of the work—you know, if you sort of think of the—when a lot of the information that will be available to forecast what's happening the following year, yeah, July and August are really critical. Although, months leading up to that would also be very good indicators of what's forthcoming and the next couple years are going to be important. We've got healthcare reform. So if the Supreme Court approves the mandate for healthcare reform, we see on the horizon, you know, this year and the next year are going to be very meaningful variables in our environment.

**GRAY:** And just to add to what Dan's saying, or to that clarification that the discussions that we've had on the Benefits Committee here, and the discussions that I've had with the current existing UFC standing Benefits Committee, we're really painfully aware of the need for faculty to be available during those months which in the past has been an issue. And so the goal would be to have a clear description of the expectations of participating—'bye, Matt!—participating on this committee, so that faculty know what they're getting in to. Probably not surprisingly, the HEPA attempt and the rises in premiums last year, the expectation that the premiums will go up again substantially the next two years has motivated faculty to be available during those summer months. So...

**ROBEL:** Alright. Yes?

**SWANSON:** Several of our faculty members asked me to ask this question. They said that in the past, the comment has been, well salaries at IU are not necessarily as high as other places, but we have a great benefits package, and so if they're changing the benefits package, how does that go into this balance? And their point was they didn't think the resolution addressed it, and they asked me for you to comment on that.

**GRAY:** We didn't address it in this resolution because that's beyond our purview. What we can ask as the Benefits Committee is that there is clear consultation and transparency in changes to benefits costs, and that that cost analysis is made transparent to faculty. What we felt was beyond our purview was to discuss budgetary issues; that would certainly be a great conversation for the Budgetary Affairs or for other faculty representing faculty interests in our salaries and compensation, but our sense was that what we could—what we could address and what we could ask the administration to address are healthcare benefits and our role in being able to be aware of those changes.

**SWANSON:** So they should address those concerns to the Budgetary Affairs?

**GRAY:** I think so. I'm not sure. I think so, though. And others here would be able to tell you.

**ROBEL:** Herb?

**TERRY:** Yeah, one of the goals of UFC reform is indeed to create institutions that will be responsive during the summer, so [indistinct comment]. Second, a matter of fact I think in the last meeting, I noted that from the Trustees' prospective, there's a total pot for compensation, and that part of their efforts to reduce fringe benefits and that sort of things is an effort to transfer money to salaries so that the things aren't intertwined. I would hope we simply adopt something like this and not worry about whether the dates are compatible to Dan's, but recognizing the benefits and compensation policies are system-wide policies rather than campus policies, and we quickly send this off to the, whatever it is now, Agenda Committee or Executive Committee of the UFC along with the transcript of the two days of discussion that we have had about this, and urge them to get cracking on what this campus and other campuses think ought to be addressed.

**CALLOWAY-THOMAS:** Yeah, I will say that although the UFC right now is pruning and tinkering with the reform document, that we've made a decision to abolish many of the standing committees, that we have discussed the possibility of having ad hoc committees, and we especially wish to have an ad hoc benefits committee, so I'm pleased to report that we're going to have that active committee.

**TERRY:** I would hope that wouldn't be an ad hoc compensation and benefits committee.

**CALLOWAY-THOMAS:** Well, we'll tinker with language, but the substance is carried.

**ROBEL:** Jim has had his hand up.

**SHERMAN:** I want to make a broader statement about the Fringe Benefit Committee. This resolution is really important because it covers one aspect of our benefits package, and that is getting information in a timely and clear manner. If we had had the information last year about the changes that were coming in, if we had it earlier, I think we could have avoided the fiasco that we went through last year. So this is a very important part of taking—having some say in our benefits package. But there's another aspect to it, by which I think the Fringe Benefits Committee can be even more important. It's one thing to have the information, it's another thing to be able to generate responses and ideas to what we have, and this is where we need help from you all, and people in your departments, and that is you can give feedback to Dan and his group, but please also give it to the Fringe Benefits Committee. Examples, we have a new dispenser of prescription drugs, Medco. Are you happy with it? Are you not happy with it? Have you seen problems? Let us know. Do you like the idea of a medical savings plan? If so, are there ways that we could inform people so that we could make best use of such a savings plan. How about the mental health component? It was years ago before Parity a really big issue here because people had issues with it. Are there still issues? You know, clearly if you want to retain your privacy, that's fine, but if you could give us feedback about those things. For example, I

discovered and didn't think about it before, you know, buying hearing aids in the last year, I discovered that the health benefits care about your eyes, but not your ears, and I didn't know that one sense was all that more important than the other. [Laughter]. [indistinct comment], but it is important that we do that because then we can feed information to Dan's group and then have him coordinate it and organize it in a coherent way. So let us know what you think about the plans, and we can act on them. Please.

**ROBEL:** Great. Thank you. I think we've got a second reading of this resolution with at least one friendly amendment that I've heard so far, that is the—changing the date to February 15<sup>th</sup> in part one. A request for a friendly amendment to the second that I think Carolyn has suggested is not needed at this point.

**CALLOWAY-THOMAS:** We're really voting on this so that it will be passed to the University Faculty Council, so we really do want it to be sanctioned by this body, and as such, it makes sense to have a second and a voting to give it power and resonance.

**GRAY:** And may I add just one request reflected in the minutes, that go to UFC that one possible tweak to the membership, we realize that we would really like to make sure that existing campus-based benefits committees have representation on this, so a suggestion would be that IU's campus benefits committees be representatives on this committee which would mean we could have a couple of people from Bloomington, a couple of people from IUPUI, so that was another way of addressing, aside from that fact of the ad hoc committee, but if that could be reflected as a suggestion.

**CALLOWAY-THOMAS:** That is a constraint because I understand that Indiana University Bloomington is perhaps the only campus that has a staff representative, and so the question is how do we manage staff on other regional campuses?

**GRAY:** We're thinking specifically the standing faculty council's benefits committees, but you're right, if there are equivalents to staff representatives, that would be an issue.

**WHEELER:** May I please move the resolution?

**ROBEL:** Yes, you may. Is there a second?

**ARNOLD:** Second.

**ROBEL:** Alright. Further discussion? Hearing none, all in favor? [Aye]. Opposed? [Silence]. Abstentions? [Silence]. Thank you so much. And thank you so much for being here, Dan. I realize we have driven through from 3:30, I hope some of you have gotten up for refreshments at some point along the way. I invite you to do so. We have one more agenda item that's scheduled for twenty minutes and about thirty minutes left. So if I could invite Dean Wimbush,

please. And I don't want to suggest, every bit of the discussion was important today, particularly on the item that we first looked at, we looked at for the first time today. So thank you for hanging in there through it all. Jim?

#### **AGENDA ITEM 8: SAA STIPEND REVIEW COMMITTEE REPORT**

**WIMBUSH:** I want to begin by thanking the members of the committee. They're listed on pages two and three of your document. Two of the members I see are here, Tony Fargo, Maxine Watson. If there are others and I haven't recognized you, please forgive me. And I want to especially call attention to Elizabeth Boling from Education and Caty Pilachowski from the College, and Maxine from the College, as well as my office. They went beyond the call of duty, and their extra efforts certainly helped to move us along, as well as to get us to the point that we're at today.

As many of our graduate students know as well as faculty, funding is always a concern. It is not just the amount of funding, it is also the way in which decisions about funding are made, and so many of our graduate students over the years have voiced their concerns, and rightly so because just as we want them to make good academic progress, they have to eat. They have ends that they have to meet, and not just again for those who are concerned about the funding levels, but for those who are concerned about how the funding decisions are made even in units where the levels are above the average of that of our peers. They're concerned about fairness; they are concerned about equity. So it was very befitting for the GPSO about three years ago to bring this issue to our attention, and it was certainly befitting of the BFC to pass this resolution which mandated that there be an SAA Stipend Review Committee. This is a committee that is under the provost, reports to the provost. The committee meets every other year, and the committee provides a report to the provost. I thought it would be of your interest to also provide a report to you, especially given some of the recommendations that are being made.

The committee met throughout the entire academic year 2010-2011, and quite frankly, we sort of stumbled as we began our work because as we talked about the different issues that the academic units themselves faced, but also funding related issues that students face, we had to sort of grasp the whole funding issue, and it took us awhile to do that. We decided upon two principles, priorities, that we thought that would sort of guide us as we move forward, and they are a commitment to minimum standards of support, as well as transparency in practices. We felt that these two priorities would help address the main concerns many of our students and of several faculty, and so we have four recommendations.

The first recommendation is to require a student support report from each of the academic units, all of the graduate programs, not just the College or the schools, but each of the graduate

programs, and this report would help the committee as we make determinations about stipend levels so that we could then make recommendations after our meetings. This report would have a statement about the floor for stipends within the graduate program. It would report the median as well as the lowest and the highest stipends paid within the unit. It would tell us the number of graduate and professional students enrolled in the program, and the number of students that are receiving base funding. It would also tell us the number or the proportion of SAA's in the unit receiving a full SAA stipend, and those that are receiving less than that. It will have a statement of the procedure used within the unit to set the amount of the stipend to select the students who hold this stipend, and where that funding is coming from. It would also provide a statement of the current policy within the unit regarding students who are enrolled within the unit, but that have student academic appointments in other units, as well as those students that have student academic appointments in their units, but they're actually enrolled or they're—most of their course work is in another unit. And so, as I said earlier, this report will help us as we do our work when the committee meets every other year. And we would also forward this report along with any recommendations that we have for that particular year to the provost.

Recommendation two is to require that units publish policies regarding academic and medical leaves of absence so that student academic appointment—appointees know what these policies are.

Recommendation three is that when there is a campus-wide salary increase, graduate students, the student academic appointees, want an increase as well. And we are recommending the same percentage increase. Right now, it is left up to the academic units to make determinations about the increases. They don't always happen in the same year, and to the same extent as we provide increases for faculty.

And then our last recommendation is to request that the University of Graduate—that the University Graduate School collect comparable data from our colleagues in the Big 10, and peer institutions so that when we meet, when the Committee meets, we will have those data available. I'd be happy to answer any questions. Yes?

**SWANSON:** Thank you very much. Several of our faculty members asked me about recommendation three, and that is in our vision science program, we first bring students with a fellowship that's, I think, fairly generous, it's \$20,000 a year. And after four to five years of that, if they're still enrolled, they get shifted to a mentor's grant. That's when they become an SAA. Up until that point, it's a fellowship. So if they're getting a payment that's higher—considerably higher than the minimum, the question was when there is this raise, does this raise just affect the minimum, or will it also affect somebody who is getting something well above the minimum?

**WIMBUSH:** It certainly would affect those who are only given the minimum, but the graduate students would certainly like for consideration for those who are also getting above the minimum because the point is to provide an increase each year as the faculty receives increases.

**SWANSON:** Right, so that is you say the intent, that all—no matter what they pay.

**WIMBUSH:** Right.

**SWANSON:** So, I think that what will happen in our institution is there will be incentive to push it down closer to the minimum so they can absorb unexpected increases; that would be an effect.

**ROBEL:** LaNita, did you have...?

**CAMPBELL:** Yeah, I have a question. I don't know—I guess you explained units to me as academic programs. I'm wondering how GA's fit in that, that are not necessarily housed in an academic unit, but are SAA's within a culture center or Hudson and Holland, because technically they are not part of an academic unit, so I don't know how their pay scale will be comparable to someone who is receiving an AI-ship or a fellowship within an academic unit. Are those also considered in with there?

**WIMBUSH:** Those would be considered as well. Yes.

**JACOBS:** I just have a question, James. Are you saying that when you appoint a person, you know, they're brought into a program, that their stipend would change as they went through the program? In other words, if I go up two percent a year or whatever, [indistinct comment] a year if it is a multi-year kind of appointment?

**WIMBUSH:** That was actually the intent.

**JACOBS:** This would be quite difficult, I think, from a budgeting standpoint, to do. As a matter of fact I don't see, I mean—just knowing how that budgeting process works within the doctoral program, and slots are allocated to the departments and all. I can see where this would be very difficult because of, you know, they wouldn't know, you know, when the appointment's made, what it's going to cost, you know, in many cases these funds are set aside, you know, for this and...I don't know. I just—I can just see a pretty big problem with that.

**ROBEL:** Jim?

**PERRY:** Recommendation three strikes me as overly prescriptive. And I'm wondering what the campus-wide salary increases are. I mean, we give some latitude, perhaps based on rank. We also give some latitude to units. And there may be some other variation. So, I'm not quite sure

what the campus-wide salary increase means. Why, for instance, if we differentiate based on rank or unit or other circumstances, why we should take the sort of fixed rate and apply it to these appointees? It just seems to me to be sort of over stepping the prescriptions we want to build in to these policies, given the circumstances that vary across campuses and RCM's and...

**WIMBUSH:** Sure, at the time that this was written, we generally would see reticence from the vice president for finance's offices about percentage increases for faculty, for staff, and that was the thinking of the members of the committee at the time. I know with RCM review report that I think it's going to be presented to the Trustees in February, that there are some recommendations for some changes to that. And so, it would certainly affect the way number three is implemented. It may even make it...

**PERRY:** So maybe we have to take that one off of here.

**JACOBS:** Just remove it.

**ROBEL:** Yes?

**TERRY:** Unless I misunderstand it, this is a report that is completed and went to Karen.

**WIMBUSH:** That's right. That's right, it went to the provost and so this is an information item.

**TERRY:** So it's up to our Interim Provost to figure out what to do with this. On item three, I think, you know, I would point out, as far as the Trustees are concerned, there are no—except for staff—not professional staff—except for staff—there are no campus-wide salary increments. Everything is on the basis of merit, and all they set is the overall figure of the amount of money that can be used for that. And so if the provost receives a challenge from this, I think we try to figure out what would be, given the money available for increasing salaries, assuming there is any, how much flexibility and how much of it to give to students who are SAAs. I guess on recommendation four, if I had written this thing, my concern about it would be that you're only going to get minimally useful data, given that it's going to be aggregated data about Big Ten and peer institutions. Peer institutions to Indiana University Bloomington might not, in many ways, be peer institutions to various departments trying to recruit graduate students in specific fields, and we don't recruit our graduate students just among Big Ten schools, and we don't always recruit just from other general universities that are comparable to us.

**ROBEL:** Thank you.

**WATSON:** And just in terms of the salary issue, I think there would be ways to build in a year's lag, so that people could budget an increase [indistinct comment]. I think the more important thing is just have something said that says that SAA's should be considered for raises as are



other people. And I think your point that we don't do that with staff is a real one, and it needs resolution similar to this. But you're right, it would make it difficult to implement it within the same year, but that doesn't mean it can be implemented. And I think the second point about the comparison is absolutely true. This is a really a one on one business, but it gives us some idea, *mas o menos*, where we stand in the process. So, [indistinct comment] committee trying to get a point of comparative information from huge numbers of different categories, so I think it's probably unrealistic as a general rule.

**ROBEL:** John?

**PAOLILLO:** So this is also with respect to recommendation three, which I think is reasonable. One would have to be careful to make sure that academic units don't discover newfound flexibility in the number of hours that are assigned to student academic appointees as well, because if they shift around the number of hours, then they can suddenly support, you know, more students. One academic unit, which I will not name, has used variable numbers of hours for purposes that I can't discern, so that's something that I think bears some scrutiny.

**WIMBUSH:** Sure, this issue came up over and over in our meeting. And so that's one of the reasons why for the support report we're wanting to know how many students were fully funded, how many were less than fully funded, how many students are in the department, that sort of thing. Basu?

**ROBEL:** Basu?

**BASU:** For the next meeting, can you perhaps define what you mean by stipend because when we pay graduate students, we pay something, but it's titled AI salary if somebody is teaching. But then, to attract good graduate students, we have to sweeten the deal from our Foundation money. This is common in many departments, such that the total money received by the student, you can call it support or whatever is the word, that is not defined within this document. So can we report stipend, but we do not report the total support.

**WIMBUSH:** The data that we looked at did include total support.

**BASU:** Well, if you define it that way.

**WIMBUSH:** Certainly.

**BASU:** You have to define it.

**ROBEL:** I don't see any other hands. Thank you so much, James. And thank you for that advice I think I'm hearing. And thank you so much to the committee as well for the work on this.

**CALLOWAY-THOMAS:** Look what you've done!

**ROBEL:** With fifteen minutes to spare. [Laughter]. Thank you all so much. I suspect I need a motion for adjournment. All in favor by acclamation? [Aye]. Thank you. Looking forward to working with you.

**MEETING ADJOURNED 5:15PM**