

Indiana University
BLOOMINGTON FACULTY COUNCIL
April 21, 2015
Kelley School of Business – CG 1050
3:30 P.M. – 5:30 P.M.

Attendance

MEMBERS PRESENT: Joelle Bahloul, Abhijit Basu, Purnima Bose, Andy Braden, Carrie Docherty, Lori Duggan, Nathan Ensmenger, David Estell, David Fisher, Alyce Fly, Linda Gales, John Gibson, Thomas Gieryn, Margaret Gray, Daphna Rae Greiner, Dennis Groth, Brady Harman, Jeff Hass, Bradley Heim, Israel Herrera, Ed Hirt, Jonathan Karty, Bradley Levinson, Karma Lochrie, Jon Macy, Laura McCloskey, Patricia McManus, Joseph Miller, Sharlene Newman, John Paolillo, Jennifer Pearl, Jamie Prenkert, Deanna Reising, Lauren Robel, Ben Robinson, Leslie Rutkowski, Steve Sanders, Micol Seigel, Jim Sherman, Catherine Sherwood-Laughlin, Jon Simons, Rebecca Spang, Geoff Sprinkle, Cassidy Sugimoto, Herbert Terry, Justin Vasel, Nona Watt, Rega Wood, Sung-Un Yang

MEMBERS ABSENT WITH ALTERNATES PRESENT: Marlon Bailey (Moirra Marsh), Lessie Jo Frazier (Ilana Gershon), Laura Ginger (Beverly Stoeltje), Krista Glazewski (Mitzi Lewison), Alex Tanford (Bruce Johnston), Richard Van Kooten (Patricia Foster), Alex Tanford (Bruce Solomon), James Wimbush (David Daleke)

MEMBERS ABSENT: David Baxter, Michelle Chung, Gerhard Glomm, Timothy Hoch, Gretchen Horlacher, Cheng Kao, Jon Lozano, Michael McRobbie, William Swanson, Mikel Tiller

GUESTS: Catherine Dyar (Office of the Provost), Jennifer Kincaid (CPO), Bob Kravchuk (SPEA; BAC co-chair), Deborah Kremer (Office of the Provost), Christiana Ochoa (Law/OVPFAA), M. Reschke (Herald Times), Ashleigh Sherman (IDS), M.A. Venkataramanan (VPSI)

Agenda

PLEASE REMEMBER THAT THERE WILL BE AN ADDITIONAL BFC MEETING ON APRIL 28th in KSOB 1050

1. Memorial Resolutions for Joyce Grigsby Williams and Sudarshan Kumari Singh

Joyce Grigsby Williams: <http://www.indiana.edu/~bfc/docs/circulars/14-15/B40-2015.pdf>

Sudarshan Kumari Singh: <http://www.indiana.edu/~bfc/docs/circulars/14-15/B41-2015.pdf>

2. Executive Committee Business (10 minutes)
(Faculty President Jim Sherman)

3. Presiding Officer's Report (10 minutes)

(Provost Lauren Robel)

4. Question / Comment Period¹

5. CREM Policy (1hr. 30 minutes)

(Professors Ilana Gershon, Jon Simons and Cassidy Sugimoto) [ACTION ITEM]

Proposed new policy:

<http://www.indiana.edu/~bfc/docs/circulars/14-15/B34-2015Rev0413.pdf>

<http://www.indiana.edu/~bfc/docs/circulars/14-15/aux/CREMTable2.pdf>

<http://www.indiana.edu/~bfc/docs/circulars/14-15/aux/CREMFlowchart2.pdf>

Existing policies that are relevant to and may be superseded by or affected by the proposed new policy:

<https://uaa.iu.edu/docs/academic/academic-approval-matrix.pdf>

https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy_D-16

https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy_D-17

https://www.indiana.edu/~vpfaa/academicguide/index.php/Policy_D-18

6. New Business/ Old Business

<http://www.indiana.edu/~bfc/docs/circulars/14-15/aux/CREMBylawRevs.pdf>

Minutes

AGENDA ITEM 1: MEMORIAL RESOLUTIONS FOR JOYCE GRIGSBY WILLIAMS AND SUDARSHAN KUMARI SINGH

ROBEL: Welcome everybody. If you are here as an alternate could you just be sure that you – well, all of you should sign the attendance sheet – but if you’re here as an alternate, in particular, could you be sure that you sign the attendance sheet. And – and to the extent possible if we – we can go by the usual rule, which is that if you’re over in back of me and you want to speak, make – make a friend on the other side of the room. Alright. We begin, as always, with our cherished vice provost for faculty and academic affairs. I don’t see minutes...

GIERYN: Thank you. Joyce Williams was a historian and a university professor who practiced several ways to bring the past into the present and to take what she and her colleagues knew to people beyond the Bloomington campus and all over the state. She wrote a book on Anglo-American diplomacy in the first decades of the last century, and collaborated in the writing of another book on the negotiations among American, British, and Native American interests on the Indiana-Ohio frontier at the end of the eighteenth century. She conceived and collaborated

¹ Faculty who are not members of the Faculty Council and who wish to address questions to Provost Robel or President Sherman should submit their questions to the Faculty Council Office. Our documents are available at: <http://www.indiana.edu/~bfc/>. To send e-mail to the Faculty Council Office: bfcOFF@indiana.edu.

in the publication of a volume of documents concerning the trial of Lizzie Borden, remembered in print, on stage, and in music, dance, and song, as the accused murderer of her parents. She prepared and delivered a series of lectures on the wives of American presidents, for which she won a national award. And as an administrator in the Bloomington division of the now dissolved School of Continuing Studies she taught and enrolled other faculty members to teach many courses in the Mini University, in retirement communities and public libraries, and in living rooms and other settings in Bloomington and other towns in central and southern Indiana.

Professor Williams was born on October 25, 1922 in Poseyville, Indiana. She attended school in Poseyville, along with Edgar Williams, who was to become her husband of sixty-eight years, a professor in the School of Business in Bloomington, and a vice president of the university. Joyce, and her husband-to-be, went on from Poseyville to study at the University of Evansville, where she majored in education and was twice honored as Phi Zeta Sweetheart, “the prettiest, smartest, and nicest woman on campus,” as the writer of her obituary in the Bloomington *Herald-Times* put it. She graduated in 1943 with a degree in Education (cum laude), and taught in elementary schools until she moved after the war with her husband to Bloomington. In Bloomington she taught in the University High School and began studying for a master’s degree in education, which she earned in 1950. She then paused in her studies and teaching to attend to her two children, before returning to the campus to take a master’s degree (1966) and a doctorate in history (1971).

Joyce Williams’ doctoral dissertation is a study of diplomacy conducted principally by Sir Edward Grey, Foreign Secretary of Great Britain, and Colonel Edward M. House, a private citizen whose colonelcy was conferred by a Texas governor for political rather than military services. House was a close friend of President Woodrow Wilson, and he acted in England and on the continent as a kind of minister without portfolio to try to mediate an end to the 1914 European war. After America’s entrance into the war in 1917, and during the Paris Peace Conference in 1919, House continued his relationship with Grey and British diplomats, often in the interest of assuring the participation of the United States in the League of Nations. These failures of House’s diplomacy make for a rather sad story of the frustration of American ambition and idealism in the arenas of European *realpolitik* and American isolationism, and Professor Williams tells it well, with sympathy and a shrewd understanding of the characters and motives of Wilson as well as House and Grey. In her dissertation, and in the book she later made from it (*Colonel House and Sir Edward Grey: A Study in Anglo-American Diplomacy*: University Press of America, 1984), she showed her command of the tools of historical research, drawing extensively on material in the British Public Record Office, the Library of Congress and the

National Archives, and on memoranda and personal papers in British and American libraries as well as on the biographies and published memoirs of the principals in her story.

In the epigraph to *Diplomacy on the Indiana-Ohio Frontier 1783-1791* (Indiana University Bicentennial Committee, 1976), which she wrote with Jill E. Farrelly, Joyce Williams writes, “The American Indians and the white settlers had more in common than one might suppose. They both wanted a home. The trouble began because they wanted the same home.” The book carefully describes the “three-cornered conflict,” as the authors call it, between the British, who wanted to preserve their treaties with native Americans in order to protect their own trading sites, the native American tribes, and the Americans, who could not find a way to accommodate the claims of the tribes during the steadily increasing rush of western expansion which had become part of the new nation’s identity. The book calls on a rich archive of published and unpublished public records in England and the United States, memoirs, campaign narratives, biographies, and books and essays on the history of these decades. Included in these documents are addresses by leaders of the midwestern and eastern tribes whose eloquence and dignity bring forward the poignancy of the trouble named by Joyce Williams in her epigraph.

In 1971, upon the completion of her doctorate, Joyce Williams joined the Division of Continuing Studies in Bloomington, eventually serving as an associate director of the Division. Her principal work became the choosing of topics and teachers for non-credit courses offered to adults in the Mini University, at Meadowwood, and in programs convened off-campus, often beyond Bloomington. In a tribute on the occasion of her retirement, some of the many faculty members whom she enlisted in these programs praised her gift for “choosing topics that will interest a particular group and the ability to gauge the depth with which that particular topic ought to be treated.” Just as important, she quickly built up and steadily enlarged a cadre of university faculty members who got very good at adapting what they knew and how they taught to the various interests and experiences of adults who brought their own knowledge to the topics.

Joyce Williams herself taught courses in these programs, including a series of lectures on “Early Twentieth-Century Presidents and Their Wives,” which won a national award and an invitation to participate in a forum on the subject attended by the wives of some former presidents. Professor Williams’ early address to this topic was her portrait in the book on House and Grey of Edith Bolling Galt Wilson, who rigidly and jealously guarded access to her husband after his incapacitating stroke in 1919. Joyce also brought into her teaching the extensive research which she and her two collaborators put into *Lizzie Borden: A Casebook of Family and Crime in the 1890s* (1980), a collection of documents (journalism, police reports, trial transcripts,

interviews with people who knew something of the social geography of the Borden's town at the turn of the last century), which is prefaced by a lucid account of the murder of Lizzie Borden's step-mother and father. In the preface to this book Joyce thanks her students in the Mini University and courses in the Continuing Studies program for their "enthusiasm and interest."

The writers of the tribute to her upon her retirement remark this reciprocity between Professor Williams' research and teaching. "It is easy to understand," they write, "how much more authoritative her publications are as a result of such efforts and experience, and how much more vibrant and immediate her courses have been to those fortunate enough to hear her lecture." The excellence of Professor Williams' teaching was recognized in 1990 by an award from the School of Continuing Studies, and in a note marking her twenty-fifth year in the Noncredit Course Program her courses were described as among the "Fastest Filled": "The rush of telephone calls requesting enrollment in a Williams course before it closes is a well-known phenomenon in the Continuing Studies office." In her skilful administration of programs in Continuing Studies, Joyce Williams also enabled and encouraged many faculty members similarly to devise new ways to make their knowledge public and so to fulfill an important office and responsibility of a state university.

In recognition of Joyce Williams' scholarship and her service to the University and its traditions of teaching and learning, we submit this resolution to the Bloomington Faculty Council and request that it be presented to the Council and be made part of its minutes.

Sudarshan Singh embodied the practice and education of social service and social work. She was a rare person being dedicated to all of humanity. Her life was a perfect example of symbiosis between academia and serving the needy.

Sudarshan Kumari Malhotra was born on November 11, 1925 in Jarinwala, Punjab, then in British India and now in Pakistan. Her father, Malik Bhagwandas Malhotra, was a very well-to-do landowner and a lawyer who received his title from the British. The family practiced orthodox Hinduism in the Arya Samaj tradition and enjoyed plenty of status and wealth. She received her B.A. from Punjab University (now Pakistan) in 1946. Then the family somehow survived the great communal slaughter in 1947 and arrived in India as destitute refugees. Continuing with her studies, she received a B.Tech. degree in 1948 from Punjab University (India). She then taught in a school in Bikanir, Rajasthan in India, followed by one in the Netherlands. In between, she studied International Law in The Hague and attended Oxford University (England) on scholarships. She received her M.A. from the International Institute for Social Studies (The Netherlands) in 1955.

Since her high school days, she had devoted her life to social work, and that continued as she migrated to Canada, landing and working first in Halifax before moving to Vancouver. There she met, through their mutual participation in social work, and married in 1959 – reportedly against her family’s wishes – Prithe Paul Singh, a Sikh from India. Paul also had a similar life experience of surviving the 1947 slaughter. The couple moved to Bloomington in 1964 where Prithe Paul Singh started his career as an assistant professor of physics and where he would become a Co-Director of the IU Cyclotron Facility.

True to her dedication to social work, Sudarshan Singh started teaching in 1970 in the School of Social Work at IUPUI and then at IU Bloomington where she became widely known as Darshi or Darshi-ji. She was the Coordinator of the Bloomington Bachelor of Social Work Program for the School of Social Work at IU from 1974 to 1977 and then Acting Coordinator for another year, from 1989 to 1990. In her leadership role, she sought to enhance the visibility of the BSW program on the Bloomington campus and to increase recruitment and retention of underrepresented students in the social work program. She took early retirement in 1992 to take care of her health-impaired husband.

At IU Bloomington, Darshi primarily taught social work practice courses and the practicum seminar for juniors. She also supervised forty or fifty juniors each year while they were placed in community agencies in Bloomington, Bedford, Martinsville, and Brown County. She collaborated with agency social workers and other human service professionals to enhance student learning and the development of their social work practice skills. “I challenge my students to think for themselves and examine their values, philosophy of life, and social work ethics,” she once wrote about her teaching. Darshi also saw her work with community agencies as a way to help bring new ideas of practice to the agencies and enhance the competency of agency personnel. Darshi served as the advisor for all the junior social work majors as they made the transition to the Indianapolis campus for their senior year practicum and course work, before the full four-year program was available on the Bloomington campus.

In addition to her teaching in social work, Darshi also taught Hindi as a Foreign Language and a graduate interdisciplinary seminar focused on developmental disabilities. While at the School of Social Work in Bloomington, Darshi was a voice for social justice for marginalized populations. She served on the Advisory Board for the Institute for the Study of Developmental Disabilities (now the Indiana Institute on Community and Disability) and the Advisory Board for the Indiana Resource Center for Autism. She also worked on the Minority Women’s Concerns Committee under the Dean for Women’s Affairs on the Bloomington campus.

Within the community, at that time, Darshi was active in the Citizens for Jail Improvement Committee and served on the Advisory Board for the Monroe County Community Corrections program. Within the School of Social Work, she was active in the BSW Committee that was instrumental in curriculum change in the social work practice courses. She also worked on the School of Social Work's Minority and Women's Committee that created a diversity film festival, among other activities.

When she retired in Bloomington Darshi devoted her life to community service. She worked tirelessly for countless hours at the Monroe County Community Kitchen. She would knit continuously, especially scarves, to provide warmth to those who needed some. She had already gathered the Indian community in Bloomington to cook an annual fund-raising dinner, popularly known as the Indic-Bloom Dinner, primarily to support the education of young women in India. It lasted for more than twenty years. Any friend could always ask for help for any social project or favor and get substantive pragmatic advice and donation. Once a friend asked, and Darshi-ji taught her Urdu. She was the "elder" of the Indian diaspora in Bloomington.

Darshi-ji and Paul, as long as his health permitted, loved to take long walks and listen to music. Ghalib's ghazals were her favorites. They walked in the National Parks and travelled all over the world. They were voracious readers. Darshi-ji loved poetry and social philosophy. She cultivated herself as a World Citizen, rising above the boundaries of gender, race, ethnicity, caste, class, and religion. She stood tall, handsome inside and outside, all Good with not a Blemish.

She is survived by two sons, Adarsh Singh and Pradeep Singh, both dedicated to social good, and her brother Jagmohan Malhotra. Darshi-ji passed away in Seattle, on November 9, 2013. An era in Bloomington ended.

ROBEL: Please stand in honor [comment indistinct]. [All stand in silence] Thank you. [All sit] Please recognize your Faculty President, Jim Sherman, for Executive Committee Business.

AGENDA ITEM 2: EXECUTIVE COMMITTEE BUSINESS

SHERMAN: I've just got a couple things to report on. [comment indistinct] from the Board of Trustees' meeting, which took place last Thursday and Friday here in Bloomington. In case you didn't know before or didn't pick it up in the local news, we have three new, really incredible and exciting capital projects that are in store for us here in Bloomington. It is amazing to me how many beautiful new buildings and functional new buildings are – are here on our campus, and – and so the three are; SPEA, the – the front of SPEA will – will be redone and it – it – it's going to be beautiful. The renderings are just – are unbelievable, and that's a project that will

be done I think over the next year or so. The – the block just west of the parking lot behind Geology now has four structures in it [comment indistinct] is that right?

ROBEL: Mmhmm.

SHERMAN: That whole block will be the new place for the School of Informatics, and then there'll be two – two of the – what used to be old dormitories that were converted into – into academic buildings, Morrison and which other – ?

GIERYN: Sycamore.

ROBEL: No, not Sycamore.

Multiple Voices Simultaneously: Goodbody

SHERMAN: Goodbody and Morrison that will be converted back to dormitories in the old style of dormitories. So students will be able to live right in the middle of campus, which I think is exciting. So just seeing these things is – I think it's a good sign for the campus. The other thing I'll report on from the Trustees' meeting is the – the Executive Committee wrote a letter to President McRobbie, and clearly our best letter writer who in [comment indistinct] if you want something written [comment indistinct] sensible and clear, he's the guy. Anyway, I – I read – [comment indistinct] I presented it to the president as well as the Board of Trustee members and it was accepted both graciously and with great agreement by the president and by the Trustees, and the basic gist of the letter was to – to thank Michael for his quick and effective response to the RFRA bill, and thank him for doing it, and also our wish to join him and our government relations – I always want to say lobbyists but I know that's a lie – our government relations people in – in moving further toward getting sexual orientation be part of the state civil rights bill, and it's not currently. But I think the hope is the – the current governor and the state legislators have almost painted themselves in a corner by saying, 'Oh, we don't want anything to be able to discriminate based on sexual orientation.' Well, thank you very much [comment indistinct] So that was the gist of the – of the letter. So those are the – the two things from the Board of Trustees.

The only other thing I'll report on was I know many of you who are here were at the celebration for Tom Gieryn yesterday, and it was just delightful. It was – it was – I don't know how Tom managed to be both funny and moved at the same time, but he expressed multiple emotions. I think that's a good thing, Tom. And –

GIERYN: Thank you.

SHERMAN: – we all enjoyed it very much, and seeing your family there.

AGENDA ITEM 3: PRESIDING OFFICER'S REPORT

ROBEL: Good. Well, ordinarily in a period that had – has been as exciting as this one has been with the news about the hospital and the – and the process of the engineering program on the campus, I would spend a lot of time kind of going through those developments, but in consultation with Cassidy Sugimoto, the chair of the Faculty Committee, I'd like to give us as much time as we need to really talk through the proposal today. So I am ceding my time, where is – ? And what I'm going to do instead is do a brief overview so that we know what the policies are, that the proposed policy actually might affect. I thought given the end of the semester and the fact that everybody is super busy it be help just to – helpful just to walk through these. I'm calling this a policy background or "Four Policies and a Matrix." So...

So a quick overview. Three of these policies you have and one Tom Gieryn suggested I – I best add just because it's relevant to some of the later pieces of the proposed policy. D-16 defines the BFC role in creation of programs, reorganizations, eliminations and mergers. D-17 defines the BFC role through the Budgetary Affairs Committee in cases of financial exigency leading to the elimination of faculty and departments, God forbid. D-18 affirms the primary constitutional role of school faculties in CREMs. And D-20 provides for regular program review of – of programs. The interestingly called "matrix" provides the process by which we get through academic approvals and other kinds of approvals for – for degrees, departments, schools, both organizational approvals and also academic programmatic approvals. So the matrix is one of two. The – the – the matrix provides an overview for the various fora where you can negotiate competing claims among schools, and critically, among campuses and also for technical compliance with the program and academic proposals so that you – if they're in compliance with the – the forms and the request of the Indiana Commission on Higher Education, they also – the matrix also – gives us a way to time the movement of proposals through the various processes on the campus and the – at the university and off to the Trustees and the state. So just quickly, and you're – we'll – if you got them you might want to pull them up but D-16 focuses primarily on reorganizations, and I think the reason for that is – the idea is that the BFC's role here is the protection of faculty who might have their tenure homes or their contractual homes moved and so – and student government bodies – where there is a possibility of a degree program changing so that students need to be in the loop around degree requirements. So the focus is on reorganizations the idea is that the BFC's role is to facilitate this in [comment indistinct] with faculty as early as possible so that their informed input may play a prominent role in planning for change. And the role of the BFC then is for the Executive Committee to solicit input, to collate it, to present the faculty response to proposals before implementation, and implementation is not nearly defined here, so before implementation to president, provost, and deans, before the plans are finalized. So the – the basic outline is a facilitation of consultation.

The next big set of things that – that are in D-16 have to do with protecting faculty in the event of reorganizations. Tenured faculty cannot be terminated in a reorganization. Tenure probationary faculty get to choose how to be evaluated, whether under the standards of their current academic home or at the time they were hired, or under the standards of their new academic home, and that has typically been facilitated through memoranda of understanding that Tom Gieryn’s office has worked through with individual faculty in tenure probationary status. Contractual rights and obligations of non-tenure-track faculty and graduate students are – are to be honored, and any violations of these provisions would go to the Faculty Board of Review.

The policy then turns to compensation and benefits and says that, “Reorganizations will not result in base pay reductions in the alteration of – of negotiated agreements or in the loss of time accumulated for sabbatical...” or leave. The – the next piece is on program continuity basically to enable students enrolled in degree programs at the time of a reorganization to complete their degrees. And financial – financial exigency, which is really covered in a lot of these in various policies, defines a campus financial exigency at – at – with a very high bar specifics the time limits of a declaration of campus financial exigency, and appoints the Budgetary Affairs Committee as the campus consultative body for purposes of the next policy, which goes into great detail on financial exigency. It – it – this provision permits the termination of – of both people with tenure and tenure-track faculty members in financial exigency, which is defined at, again, a very high level. Extraordinary circumstances bona fide financial exigency, imminent financial crisis that threatens the – think Sweet Briar. Yep?

KARTY: Has that ever been used in recent memory?

ROBEL: It – it – not even in – you can qualify that with, “it’s never been used.”

KARTY: Thank you.

ROBEL: D-17 also requires the faculty – faculty to participate in declarations of financial exigency through the Bloomington Faculty Council, and it specifies the procedures that terminations under a declaration of financial exigency would follow. It puts limits on academic units’ ability – ability to fill faculty lines during a period of financial exigency. So you can’t fire somebody and then hire somebody over here. It has other procedures.

D-18 is a kind of federalism provision, I guess I’d call it. It “confirms the authority of the faculties of the schools to establish and revise academic programs, including programs which they may establish by negotiations with other schools,” and refers faculties who can’t agree to the BFC to make recommendations to the provost, and says that where no faculty exist to consider a program the BFC is the default. So we – we don’t have a faculty at all.

And D-20, which Tom requested that I also point you to, is programming review. Review takes – is to take place every five to seven years. It's conducted by the provost or the dean. The use – it uses peer reviewers that are – who are mutually agreeable to faculty, the dean, and the provost. The faculty prepare a charge for the reviewers and follow up a year after the review, and it defines a set of common questions. Is the unit better or worse than five to seven years ago I think would be the primary one.

So I'll just stop there and at this point turn it over to the Faculty Affairs Committee.

SUGIMOTO: Thanks. Thank you, Provost Robel. As the chair of the Faculty Affairs Committee I've been asked to say a few words, but I'll try to keep it brief to allow for ample time for discussion. I think we should start with the underlying principle for this entire conversation. The faculty of this campus are given the legislative authority on creations, reorganizations, eliminations, and mergers "of programs and units affecting more than one school." The faculty of this campus are given authority on the academic mission and the curricular structures of programs at this school. To the faculties of their individual schools, through their faculty governance units, are given these authorities when it deals with just a single school, and the execution of these authorities when it deals with a campus matter is given to you the members – the elected members and the elected representatives of the faculty of the Bloomington Faculty Council. Now, as Provost Robel demonstrated, the present policy on MREs, that is D-16, allows for two things for faculty, consultation and response. This vastly undermines the constitutional authority of the faculty in these matters, and this is a deficiency which the present policy seeks to address. Faculty voice and vote are imperative for creating robust programs on this campus. The faculty is the greatest resource this campus has, and has the most investment in the sustained success of this campus. The faculty also have the greatest expertise in, and knowledge of disciplinary structures and epistemic cultures, fundamental for appropriate assessments of potential CREMs. Therefore, it is the goal of this present proposal to take advantage of that expertise, to employ that expertise in conversations around CREMs. The CREM subcommittee, convened by the Faculty Affairs Committee, has worked tremendously over this last year to craft this policy. In my time at the BFC I have never seen a policy go through such rigorous review. The policy [sic] has looked at best practices here, and they've looked at best practices at other institutions. They've met with students, with staff, with faculty, with school policy committees, with associate deans, and deans, with vice provosts, and even the provost herself to craft this document. And in many ways this is a manifestation of shared government. The document you see before you has come out of multiple, numerous conversations with various stakeholders, but now it's in front of you today and it's time for you to execute that authority on these matters by voting on this policy. The Faculty Affairs Committee for its part strongly endorses this policy, both for the principles it espouses and the best practices it outlines. Now, many of you here may have amendments and

that is your authority to bring these amendments to the floor, and I hope that you do not just today, but if this passes in the future. We should be dynamically looking at our policies and ensuring that they continually monitor and safeguard the rights and the authorities of the faculty. However, I hope that none of these amendments will violate those underlying principles, that of voice and vote of the faculty. It is a critical time for our campus. I think we are in a time period where CREMs are looming large both in our past and our present and, I would anticipate, our future. So I'd ask that we take action today to ensure that faculty both have a voice in this conversation and a vote in the outcome. So with that I'll pass it over to Jon who will outline some of the changes that we've seen since this first came to the floor.

ROBEL: And Jon, if you like, I also have the faculty constitution parts having to do with the BFC and the school. We can put those up later.

SIMONS: We – yeah, we can. Okay, so I just want – given that we presented the full policy to you here just a couple of weeks ago, I want to very quickly go through some of the key changes, and just point out as – as Cassidy was alluding that most of these changes have come about as we took all the feedback that we have from you over a couple of months, and then got into intensive negotiations with Lauren, Tom and obviously deans and the associate deans, so that we could come to as close as we could to [comment indistinct] we all agree on. And we are indeed close to that. So just a – a few points [comment indistinct] here and a change so – as compared to the last policy, and we now have three points of which those faculty immediately affected by the proposal would get to vote, and at the same time we've taken out a full – a full vote by this body at the end of the process. So we've kind of gone more local than we were before. And we also have re – if you like – rejigged our conception, understanding of what the BFC's CREM standing committee should be, and that is to see it as a body that's about monitoring and safeguarding the legislative authority of faculty, and to serve in as a point of redress for faculty. So I spoke last time about the principles of shared rooms and – and it was actually with Tom that we kind of thought this through. And Tom was open, he said he didn't really want to share a room and I don't take it personally, because we shared a beer instead. So we kind of rejigged the – the role of – of CREM here and they're also – several other changes. A – a key one of which in terms of figuring out, kind of, if you like manage – final managerial responsibility with Lauren. We – we agreed that the provost should kind of have the – should, not kind of, should have the final say about – about which units are going to be substantially affected in any – in any process, however many want to be in or maybe don't want to be in.

Alright, so I'm now just going to talk you through the process a little because this has changed, too. So there are kind of three – three ways to it. And I'm going to use the analogy of – of what we know in terms of kind of proposing research or a proposal to kind of see how is it – how is it they work. So we begin, as before, with a *prima facie* case, which we can kind of think of as

something like a proposal you need. Imagine you're trying to put together some vast, ambitious, interdisciplinary project, you need somehow to get the best minds on board. You need to get the resources together. You need to get organized. So the first stage you propose something and you get people involved and you ask, you know, 'Are you – are you going to be onboard with this?' If you're onboard with this then we can go ahead to the next stage. So if you think of the – why am I going – sorry... If we think of the next stage as the kind of how we get – got that project team together, then the next thing you have to do is kind of get the – get a – get a funding proposal. So this would be the first stage of planning. Again, you need plenty of people onboard. You need feedback from colleagues, and again, you kind of need as you – as you – when you put in this sort of proposal the report that the internal committee then again you need the approval of those who you're – who you're involving. The fourth stage – sorry. And the next stage or at stage four mostly but also five in the plan is about the planning committee and the finalization so then you kind of – you've – you've – you've got your project team up and running, they have to produce something. They have to get this work done. And so what they're – what they're busy doing is kind of coming up with the comprehensive plan, it's like the paper or the – the outcome of the project. As you go along with things you might realize that you – you certainly realize that you need a 13 – a – a specialist in 13th Century music, so you have to add someone to the team or something like that, but basically you still make sure that you've got the people that you need on board. And again, you make sure as you pass it through before you going to send this off for publication that – you have the approval of everyone. So that's where the third faculty vote comes in, and – well, I don't know if my matrix [comment indistinct] – is going to be as good as Lauren's, but it's only then afterwards if you like that it goes out to all the – to the campus bodies and the bodies outside of campus where you're going to – where the plan is going to finally be approved and come into effect. So the answer to what is the matrix is nowhere [] but it's still Keanu Reeves but it's just these – this kind of complicated process that we have before, that we – that Lauren referred to.

And now, I'm not – if your eyesight is like mine you can't read that from the back of the room, but you have a copy in front of you. This is the flow chart we showed you before. It – it's much more simplified than it was. I'm not going to talk you – talk you through it in any detail, but obviously we'll kind of take questions on that. But it's much easier to look at in front of you. And – and we have this chart here to kind of show, you know, Lauren referred to the current policy in – in redesigning it we were also looking back to the previous one as well, because we're kind of constantly correcting or amending these things as we go along. And, again, I won't go through all of these features in great detail, but basically we have done as much as we can to take into account some of the issues that weren't dealt with before. Many – many of them were, Lauren pointed out to the very important clauses about protecting faculty, tenured, non-tenured, and such like, and which we've done a little to boost, and – but really, one of the key things that we've got here, that is certainly longer than the – than in your previous plan is an

emphasis on there being a process as reflected in the flow chart, and really our feeling here, which comes off comments we have had from previous faculty is that we want a process. We want a process that means we know who's doing what, when, when it's going to happen, how we're going to move forward so that we can work without stress and efficiently as possible. So I'll now hand over to Ilana to talk about some of our [comment indistinct].

GERSHON: I just want to speak very briefly about the feedback that we got. So we asked every faculty member who has been affected by a reorganization in the past four years to give us feedback on the existing policy, on D-16. The only faculty member who responded favorably about the policy was in the new School of Design, and they had a vote on the reorganization. So faculty sent us many comments about the policy, and I want to point out that in these comments faculty do not say that they do not want the new schools. They say that they want better versions. The administration has decided to follow D-16 by consulting with faculty and then not paying attention to anything that they have to say. So we asked a faculty member who is leaving IU because of a recent merger if we could quote this person anonymously today, and the reply was, "I'm pretty sure that they don't care about my voice, but I appreciate that you think that they might." Look, faculty members have two valuable resources. We have time and we have a professional reputation. The faculty feedback said over and over again that the administration consults with us and then ignores us. By consulting and then ignoring the administration wastes our time and threatens our professional reputation. We want a vote.

SPANG: Point of information? What percentage of the people you asked replied?

GERSHON: The percentage of the people we asked?

SPANG: You said you – you asked everybody. I'm just trying to figure out is this a response rate of, like, what you expected it to be with a questionnaire? Higher? Lower?

GERSHON: So we got feedback from three administrators with this, right? Because we met with the CPC, and then we had a hit rate of around 50%.

ROBEL: I want to put something up because I need to make a quick point. I need at some point to – to give you this information because I – it may be relevant to some of you. I want to start just by thanking the faculty committee and the subcommittee for the enormous amount of work that they've done. I think that one of the things that's extraordinarily difficult to try to do well on a campus as aggregated as this one is to have a – a good, thorough process that involves everybody. And I think you are – you are working very, very hard. I need you to know that the current policy that you're being asked to vote on is in fact opposed by every dean I have heard from and that is all but two, I think. I don't think their opposition is a faculty-administration issue. I think their opposition is a faculty-faculty issue, and that's why I put the constitution framework back up. I think that in order to understand that constitutional

framework you need two things: 1) you need a theory of representation. You need to understand what this body does, and what its role is, and how it affects that; and you need an understanding of the role of the faculty in your schools on the substance of academic matters in creating the process that governs the tenure and promotion contractual rights and membership. And I am hoping very much that our conversation today could think a little bit about that central question. What is the role of the BFC vis à vis the role of the school faculties in creation, reorganization – I don't think elimination because that's actually a pretty externally reviewed thing, but – and mergers. So with that, let me open the floor up for discussion.

LEVINSON: Has this statute been moved and seconded?

SUGIMOTO: As it is coming from the Faculty Affairs Committee it does not require that, as far as I can see.

LEVINSON: Can I ask a clarifying – is – is it in fact the intent to replace policy D-16?

SUGIMOTO: Yes.

ROBEL: And for clarification also D-17, D-18 –

SUGIMOTO: No, because in this is – some of these are more specific dealing only with certain financial exigency or creation they're not determined by [comment indistinct].

ROBEL: So just D-16?

SUGIMOTO: Yes.

SIMONS: Yeah, but you should put out that D – D-16 in any case is – is not referred back to the other two existing policies, D-17, D-18. So there's no significant – there's already a – a mergers policy. This would replace that one.

KARTY: Behind you.

TERRY: A question.

GERSHON: Yes?

GROTH: It was referred to – some sort of survey of faculty that were, what? Affected by recent CREM activity? But I'm a faculty member, part of the School of Informatics and Computing, and nobody reached out to me as far as I know.

GERSHON: Um...

GROTH: Was your – was your survey limited to the College?

GERSHON: No, our survey was not. As I understood it we contacted you. So I –

SIMONS: If you are on the faculty list for the school you would have gotten the e-mail along with everyone else.

GERSHON: And – and I have to say I’m sorry. I was working off the list that we have.

MCMANUS: But you did get a – you did get a 50% participation rate.

GERSHON: From – from –

MCMANUS: From the list.

GERSHON: From the people that we contacted, yeah.

PRENKERT: I have a question that relates to – I think it relates to some of what the provost was referencing here and it is – I think it’s implicated by II.A. in the last paragraph of II.C. I’m not sure that I understand the structure of how we get to the last paragraph of II.C., which is a – a determination that only one unit is substantially affected when how – why that would be – how that – that would be initiated with the CREM committee in the first place. Like, wh – why would – why would an individual unit be obligated to, under what authority, to go to the CREM committee in the first place, and under what authority would the last paragraph of II.C. be implemented?

SIMONS: Yes, let me just check what you mean. So II.A., you mean how does anyone propose a CREM – anything like that?

PRENKERT: Well, if it’s – if it’s a CREM that doesn’t affect two units...

SIMONS: Well, there’s a kind of remonstrance available as in – as in kind of who [comment indistinct] from II.A. to II.B [comment indistinct]. This is just – this is best seen on the – on the – on the remonstrance, just checking that what someone is doing is not stepping on anyone – anyone else’s toes and the – that – that process is described kind of as a reasonable amount of time and, again kind of as we – as we said before if there is any dispute about – about this then – then after the various representations, the consultations with the CREM committee and the provost, then the provost will – will have the final say on that.

SUGIMOTO: [comment indistinct] I think to your question, too, on what – what authority it goes back to the – the legislative authority around the mission of the campus, whereby an initiator may not think that it affects more than one school, but a review by another body, both the provost and the CREM standing committee is able to analyze that and assess that situation perhaps in a better position to do that than one individual initiator. So that process would be

quite short if it doesn't affect more than school and the provost would be the final arbiter of that.

PRENKERT: And – so I mean I guess where I get confused is I don't understand the reach of that. How – how far down does that go? A reorganization of a curriculum? Of a particular school? So what limits that?

SUGIMOTO: Right, so structural reorganizations is what this is referring to. So that will not be the one with changing [comment indistinct] –

PRENKERT: So the merger of two departments within a school.

SUGIMOTO: Well, yes. Yes.

PRENKERT: And then the – the authority in the third paragraph of "C." where the CREM policy committee rides herd over the school policy committee, where does that come from?

SIMONS: I don't see where you're – you're reading that, but we're just aware that not every school is – has organized its policies as others. That's if you're saying, should the units, that is a school, not have a CREM policy, the unit's policy committee will adapt this policy to suit its particular circumstances. Is that your point? So that's where if – if your school is involved where you suddenly realize you don't have one, you have this school policy committee could then pick this up and – and kind of use this as a – as a model.

PRENKERT: Sure.

SIMONS: So that things can go forward quickly rather than kind of having to rewrite a governance document or something.

PRENKERT: So the – but the – there's a – there's a basically an appeal process to the CREM. I mean, I'm just trying to figure out where and to what extent an intra-unit issue becomes the responsibility of a – the campus.

SUGIMOTO: So it would not apply for an intra-unit.

PRENKERT: So the – so the mediation process that's described in – in "C." is a service rather than an obligation.

SIMONS: Yes, it's – yes, it's precisely in the case of a petition, somebody feels aggrieved and there's a path to that. But that's something we heard again and again in the feedback from faculty was that the usefulness of there being some kind of path to – to redress those – those concerns.

PRENKERT: And if I could – sorry, I know I’m dominating. If I could just push one step farther. So the – the unit says, ‘No thank you, we’re doing a good job on our own, we don’t need your mediation,’ what’s the – what’s the result then?

GERSHON: Does the provost agree in – in this scenario?

ROBEL: I don’t think I am involved –

PRENKERT: Yeah, I mean –

ROBEL: – in III.C.

SIMONS: If you’re asking again about the third – are you asking again about the third paragraph.

PRENKERT: Yeah. Yes.

SIMONS: There’s –

PRENKERT: Sorry. Yeah, II.

SIMONS: So again then, you know, there – there is – there is a hope for mediation by the planning committee, but it’s mediation in that sense. And says if mediation doesn’t work they can refer the case to the BFC Executive Committee, which depending on how things go may say look, this is – you know – any –anything from this is a serious issue we – we need to talk to the provost about it or whatever. But in any case, there is no stipulation there that even the BFC proposal or two school policy committees could remember. What we’re talking about what happens when two or more schools...

PRENKERT: Thank you.

ROBEL: Not that paragraph.

DALEKE: This may have already been considered but there’s a university policy on merger, reorganization, and elimination. It’s ACA-79 has – is this policy consistent with that and how would it effect a case of a core school that came up for a CREM or an MRE at the university level?

SIMONS: Yeah, there is actually a clause about that, and I’m afraid the – I mean, obviously in our consultations the question of core – core schools come up, so we are grateful again for that feedback. Given the complicated structure of the university, we knew – we knew that we could not address all the – all these complications of how the campus relates entirely to those things so the clause is basically a kind of a get out clause. It just says that there has to be coordination

around that. I'm afraid we're – we're a subcommittee not a super committee. We couldn't reorganize the university and hence deal with all these – the complications of what happens when – when we're dealing with – with a core school that's subject both to the university policy – and to the campus policy.

DALEKE: So how would a core school fit into the flow chart that you have, and how would it intersect with the university-wide policy that we...?

SUGIMOTO: The statement is in the Scope and Definitions in I.D., that that policy is [comment indistinct] that is the core school policy [comment indistinct]

ROBEL: Just a clarification on Dave's point. Does that mean that if a core school like, say, the School of Informatics and Computing, and a school that is not a core school, like, I think, the School of Library and Information Science –

PAOLILLO: No, that's a core school.

TERRY: That's a core school.

SUGIMOTO: That's a core school.

ROBEL: Is it also a core school? So that whole – would have been at the university level even though it was only on this campus.

PAOLILLO: No, it's on both campuses.

SUGIMOTO: [comment indistinct] campus.

ROBEL: No, but I mean – the – the merger that happened there was – okay, so it was also another – so it wouldn't have applied to this – to that merger at all.

SUGIMOTO: So here – here's a question between, I guess, principles and practices, and the idea is this policy should monitor and safeguard the activities of what's happening on our campus. Now, the monitoring and safeguarding of activities that happen across campuses of this institution falls under the University Faculty Council. This document should protect the faculty on our campus, but we cannot extend our reach to that of activities happening on other campuses. There is nothing in this policy that is in opposition to what is in the university policy. Being able to follow both in the case of a core school is also happening on our campus is – is not a fundamental disagreement.

ROBEL: So, is that what you would imagine? You would imagine that both policies would apply in say the – the Informatics and SLIS merger?

SUGIMOTO: Mmhmm.

TERRY: I guess I have a similar follow up –

ROBEL: I think, Rae was next.

TERRY: Oh, I'm sorry.

GREINER: Is it on this topic?

TERRY: Yes, it is on this topic.

GREINER: Go – go ahead.

TERRY: As the only person who tried to make D-16 work in recent years, my question would be what would have happened in the event of the Media School? Journalism was a core school. The other units were in the College of Arts and Sciences, and [comment indistinct] There's a default section in here that basically says, when a core school is involved everything defaults to the university policy. So none of this would have applied to the Media School, is that right?

SUGIMOTO: I would give my same answer that both would be invoked. One for the rights and responsibilities on this campus and one for the university, and as we follow in both the BFC and UFC constitution now, if there's something in opposition the UFC overrides it, yet I do not see anything that's in opposition between those two policies.

ROBEL: Let's see. I think – I think Rae is next and then [comment indistinct]

GREINER: Okay, so I just want to say I – I endorse the policy as proposed. I trust the judgment of the Faculty Affairs Committee who has – I endorse the policy as written. I certainly trust that the committee [comment indistinct] It seems to have worked enormously hard on the policy, it seems to have gotten feedback from a variety of people across the campus, and have heard various opinions, and tried to write a policy that really reflects those perspectives. It sounds to me as though they've spoken both to administrators as well as to faculty, staff, and students, and that's a very important point to keep in mind, that this document represents opinions from across the campus. So I see little reason to – to disagree with what's proposed here. I also want to say that I do think it's very important given the current climate on this campus that the faculty feels that it does have a vote, and that it feels that its voice is heard. It's certainly discouraging to me to hear that so many people wrote to say that they thought that their opinions were being solicited only to then be ignored, or that people felt as though they were asked to form committees, to make policy recommendations, or merger recommendations only to then be told that the – that that time had been wasted, or at least to feel that as though the time had been wasted. So to me these sentiments are – are – are important, and I think we

should be respectful of those. So I – I just, you know, again, I really think that this is an important moment for faculty governance and to me the policy does strike a – a nice balance between those things. I do, however, have an amendment to propose and it also pertains to II.C., which is the section we were just looking at a moment ago and it has to do with the middle paragraph, which begins, in the current policy, “The Provost and the CREM Standing Committee will meet to discuss responses to the *prima facie* case and the degree to which the CREM would affect multiple units...” And then it goes on to say, “The Provost and the CREM Standing Committee will consider issues including but not limited to...,” et cetera. The final line of this reads, “Based on this discussion, the Provost will decide which units and which individual members of faculty members are – are affected.” And so the amendment that I am proposing essentially preserves the right of the provost to have the final say on – on deciding which units and individual members of faculty are substantially affected. It preserves the provost as the person who would be appealed to in the case mentioned a moment ago in which faculty members felt that they either couldn’t decide or there was some sort of dispute, but it removes the provost from the first two sentences, and the reason for that would be that it seems better to have the provost be the one who can come in in a moment of disagreement or dispute and arbitrate that or make a final judgment on that rather than be also part of the committee that makes a decision or a recommendation. So in other words, a person who is on a committee making a recommendation shouldn’t therefore also then be the person who is appealed to if the faculty disputes that recommendation. So it seems to me that in other words just separating those two things. So again, I want to preserve the right of the provost to have the final say. Presumably some of the time that would be, you know, agreeing with the CREM et cetera, but again, to remove the provost from the first two lines there so that a person on the committee isn’t also then the one called upon to arbitrate a dispute or vote. So that’s the – and I can put the proposed language on the screen if people would like it, but essentially it would read, “The CREM standing committee will discuss a response to a *prima facie* case... ..The CREM standing committee will consider issues including but not limited to...” et cetera.

ROBEL: And then would it take out the, “Based on this discussion...?”

GREINER: Um, so it says, “If the deans...” – sorry, I should have read that. Thank you. “If the deans of schools or faculty members are dissatisfied with the CREM standing committee’s decision concerning who are materially and substantially affected faculty they can appeal to the Provost. The Provost then decides which units and which individual members of the faculty are affected.”

GREINER: Do you want me to just put it on the – would that be easier?

ROBEL: Is it already loaded?

GREINER: Kinda, it's on a – this.

ROBEL: Is anyone confused?

UNIDENTIFIED FEMALE SPEAKER: Yes.

ROBEL: What – wait a minute. Let's – let's – let's make sure you have a second and that we're going in this direction.

RUTKOWSKI: I'll second.

SPANG: Can you read again what was the proposed text that comes in after – before, “Based on this discussion...? If the committee – CREM committee...? [comment indistinct]

GREINER: So the – the amendment would read: “The CREM standing committee will discuss a response to the *prima facie* case, and the degree to which CREM would affect multiple units on campus. The CREM standing committee will consider issues including, but not limited to: widespread curricular changes that affect units across campus, intellectual organization of multiple units, and budgetary impacts on other units. If the deans of schools or faculty members are dissatisfied with the CREM facul – with the CREM standing committee's decision concerning who are materially and substantially affected the faculty” – that should say whom by the way – “they can appeal to the Provost. The Provost will then decide which units and which individual members of the faculty are substantially affected.”

ROBEL: Discussion?

MCMANUS: I think just a – a clarification. How – how would we know – it says, “If the deans of schools and the faculty...” – how – how would we know if the faculty are dissatisfied? Individual appeal? Do I have that right? Just a clarification there. Is there a mechanism in place? So is it individual...?

GREINER: Right.

MCMANUS: Okay.

UNIDENTIFIED MALE SPEAKER: Dennis and Dave.

ROBEL: Oh sorry, Dennis and then Dave.

GROTH: So I – I have a question about the scope of the objects where the CREM applies and I speak as somebody who works with the matrix a lot, like almost –

SUGIMOTO: Are you asking only about this amendment or –

GROTH: Oh, no – no – no.

ROBEL: Yeah, let's – let's – let's stop, because what's now on the floor is the amendment. So I need people who would like to speak one way or another to this and then...

GREINER: And so I think – was the question – and so in the – in the paragraph prior to the amendment paragraph, there's the line about the reasonable time for remonstrance to be provided. So presumably that would be the period in which feedback around dissatisfaction et cetera would – would come in.

ROBEL: David and then Jim?

FISHER: So – so I want to say that I – I – I – I do support this amendment, and – and one of the reasons I support this amendment is having just solved a very knotty problem in the post-tenure review policy – the misconduct policy – that hopefully we'll get to see and discuss next week. There's a very knotty problem at the end of it with how the hell do you work out appeals? Because, you know, one thing I think that should be kept in mind and discussed in the appeals process in this policy is if a faculty member ever has a dispute with the action of an administrator they're allowed to bring that to the Faculty Board of Review, and this document in no way mitigates or obscures or changes that. So that there's always a review process involved, this is just building in a more merger-focused review process that's useful. And in terms of our knotty problem and solving it was very hard. We kept writing appeal processes where the provost was going to have to – if the – you know, the provost was essentially going to be ruling on a decision that was, you know, her decision was going to be appealed and then that would have to bounce back to her or bounce to the president and we got very confused by things like this. And I just think having it be a clear appeals process, a clear process where there's one body that makes a decision and then you have the – the final arbiter of that decision should be separate from the body that first makes it to just allow space for appeals, you know? And – and if – if you don't do that you run into all kinds of knotty issues with, you know, now we have a merger on this campus because the provost was on the committee that decided what to do. If someone grieves that to the Faculty Board of Review, the Faculty Board of Review is then going to want to report that to the president and I don't think that that's what we want to have happen. I think we like to keep it on the campus. I think that's – I think that's what the Board of Review policy would do in that case. So I think it is better to have the provost separate from this committee in this instance just based on how our other review policies work.

SHERMAN: Yeah, Rae, inde – independent of whether the provost is part of the decision, I – I don't know how the process works with regard to if the deans, the faculty member are

dissatisfied. Whenever the CREM committee makes a decision does a memo go to all faculty to ask are you dissatisfied? Let's vote on it – ? I mean [comment indistinct]

GREINER: I'm going to have to ask the – yeah – ?

SHERMAN: If it just – if it just waits until faculty say, 'Wait, I've heard about this somewhere –'

GREINER: Yeah, right.

SHERMAN: How do I express my dissatisfaction –

GREINER: Right.

SHERMAN: – that seems like you'll never get dissatisfaction.

GREINER: Or it would come too late or something.

SHERMAN: Yeah. So what's the process like?

GREINER: Can the committee answer that question? Probably their answer is going to be more precise than mine.

SIMONS: I think – I think in terms – just in terms of the amendment, I think the problem may be that sentence that begins, "If the deans of schools or faculty are dissatisfied..."

GREINER: Mmhmm.

SIMONS: If – if you – the – the paragraph above that we don't – that we don't see there on the screen describes the remonstrance process, so the CREM committee at this point is really collating that information and – and so I do – I do appreciate the point. I accept the point now about the – the significance of – of having the provost as the point of appeal rather than the – rather than sitting with the committee. I think that it was sort of left in because that was – there's still some – still some shared room language there as well. And so maybe what we're – what could be done ins – what could be done instead would be for the CREM standing committee to make a recommendation to the provost who takes – who makes the decision.

GREINER: But – but Jim's question has to do with what's the process for the deans, for affected faculty to appeal the CREM?

SIMONS: That's through – that would be through the provost. They would have, again, through the remonstrance they would have that information, and remember in the – the paragraph above has the provost presenting the case to the vice provost and deans and – and so that – that information would affect back already to the provost –

ROBEL: Just to –

SIMONS: – and the CREM is really dealing with – directly with school policy committees and affected faculty.

ROBEL: Just before – before we go on it might be helpful to put this in the context of rest of the policy so we know where we are, because there are three separate votes, and – what – it might be helpful for the committee to just put some context around this. We're at the first – the first vote has happened. Is that right?

SUGIMOTO: No.

ROBEL: No. The first vote has not happened, okay. There's a *prima facie* case and the – the question is –

SIMONS: This is the establishment [comment indistinct] is the best...

ROBEL: Okay, that is the point I think is critical for faculty members to understand. This is a decision around creating at a subsequent point a nonexistent, non-previously existing voting unit that makes voting decisions on future things. Is that correct?

SIMONS: No. No, not necessarily. If – if – if it's the case, say, involving two schools and they both agree to the go there, then there's no – then they – they would – they would go to schools. It's only the question – the question later – if – if it's determined that there's a bunch of faculty – this – this kind of disappears, if you like. So not in the section we're talking about. If it came later there's a bunch of faculty wanting those schools, who aren't covered by their governance procedures who want in and between the com – the recommendation, that's the recommendation of the CREM and the decision of the provost is that, 'Yes, they should be in. They're important people.' Then they have to be included in – in the voting process.

ROBEL: So that last part, which individual members of the faculty are substantially affected, the import of that is... Just – just so I'm clear – I'm sorry – to – to assure that people are consulted – those people are consulted for a vote at this stage or they're – they're simply rounded up for a later consultation.

SIMONS: I don't want to round these people up. [Laughter] They're – they're included in – they're included in the team that then will get a chance to vote on the *prima facie* case or not.

ROBEL: Okay.

SIMONS: [comment indistinct]

ROBEL: [comment indistinct] Oh, Tom, I'm sorry. You had your – you did have your hand up, but –

GIERYN: Well, we're still on this amendment, mine was –

ROBEL: Yes, we're still on this.

ROBINSON: I was wondering if maybe – this is to Rae whether – would it shorten – would it shorten it if – if just a short phrase, “Based on this discussion, communicated to the Provost...” the provost will decide. In other words, the discussion then is the direct feedback to the provost so it's not a new channel communicated to her by the deans and the school committees. Does that make sense?

GREINER: You mean just add it back in –

ROBINSON: Yes. So where it says –

GREINER: – the “Based on this discussion...” phrase that's in the original?

ROBINSON: Yeah, so where it says, “If the deans...” instead of saying that, just be “Based on this discussion,” which is still in place, “communicated to the Provost...” the provost will then decide. So the exis – so you're – so the provost isn't resoliciting separate input, but is consolidating the previous input and then making a decision.

FISHER: Lauren, behind you.

GREINER: I – not sure – yeah.

ROBEL: Alright, that – that's out there. We'll have... Yeah?

PRENKERT: And it strikes me that there's a step missing in the amendment that if the intention is for the CREM to make a decision, a decision has to be made, communicated, if then it can be appealed – I mean, that – is that the intent?

GREINER: So in other words, “Based on this discussion...” would then add back in – you're sort of bringing the idea that –

PRENKERT: I mean, you could do it in any number of ways, but there's – I think there's a decisional point that's missing in the amendment.

SPANG: Right, right, right.

GREINER: As long as the – as long as the –the committee can – can just confirm that it would in fact be based on that discussion, I'm happy with putting that back in. I just don't want to make

a decision that somehow undermines something else that's happening in the – but it see – seems to me like, no, that would be –

GERSHON: We – we have the – you're suggesting that we add a sentence that the CREM standing committee has to make a decision, am I correct in this?

GREINER: This can then be appealed, correct.

GERSHON: Right.

[Multiple "yeahs" and "rights"]

FISHER: Yeah, [comment indistinct] a recommendation or a decision.

PRENKERT: One way to do it...

[Multiple Indistinct Comments]

FISHER: Can – can I – can I propose precise language for that so that we can actually [comment indistinct] Is that okay? I think if you put in a sentence before the "If..." that says, "Based on this discussion the committee will make a public recommendation concerning which units and individuals are affected by the CREM." And then you continue with, "If the deans or faculty –

SIMONS: Why did you – why do you bring in the – all the deans?

FISHER: 'Cause – 'cause – 'cause – 'cause we're letting – we're letting people – we're letting – we're letting people – we're letting people express their dissatisfaction. It's there now. We're letting people have – I – I don't see any reason not to let deans or faculty members be dissatisfied and express their dissatisfaction. If we're going to be consulting broadly, let people consult broadly. So I just want them to make a recommendation, the recommendation be made public and then – decide on it, you know, to decide what they think and to – you know, and – and – and, you know, if they don't like it, they can ask the provost.

ROBEL: Do we have a – does everyone understand what David is proposing? Is that an amendment to the amendment?

FISHER: I am proposing to amend the amendment in that way. I don't know if I can second it.

ROBINSON: Yeah.

GREINER: Sure.

ROBEL: We need a second.

ROBINSON: Second.

UNIDENTIFIED FEMALE SPEAKER: You got one... two.

ROBEL: Now that amendment to the amendment is on the floor. Further discussions and then if we could get back with that to this –

SPANG: Yeah.

ROBEL: – Rebecca, that would be helpful.

SPANG: Alright, as I believe that what David said was, “Based on this discussion...” So – “the CREM Standing Committee will consider issues including, not limited to:... Based on this discussion, the committee will make a public recommendations concerning which faculty or units are affected...” And from there it then goes to, “If the dean or schools of faculty members are dissatisfied with this recommendation they can appeal to the Provost.” And then -

FISHER: Yes, yes, they had said, make it with this – with this recommendation.

SPANG: Yeah, yeah.

FISHER: That – that perfectly captures what I’m saying.

SPANG: Yep, yes.

LEVINSON: So recommendation replaces the CREM –

SPANG: Yes.

LEVINSON: – standing committee’s decision.

SPANG: Yeah.

ROBEL: Just one last little piece of clarification here. So, what can go to the provost is only appeals from decisions by the CREM, not anything – it’s not –

FISHER: No, I think here – here – here it says –

ROBEL: – the provost is deciding which units are substantially affected.

FISHER: It says that you will then decide. I think the newer language says the provost will then decide. There’s a time when people make appeals. There’s a recommendation on the floor and then you decide. I think that’s what the language literally says.

SHERMAN: I’m kind of a stickler for process –

GIERYN: I’m sorry. I didn’t hear. What was the answer to Lauren’s question on whether –

FISHER: The answer is – the answer –

GIERYN: – to [comment indistinct] the appeal?

FISHER: – the answer – the answer says the provost will then decide. The language says – it says the provost –

GIERYN: Subsequent to an appeal or no – no appeal is necessary for.

FISHER: No appeal is necessary for.

[Multiple Indistinct Comments]

GERSHON: [comment indistinct] then if there is an appeal, the provost decides.

GIERYN: Okay.

GERSHON: So in all cases [comment indistinct]

SHERMAN: So number one, I suggest we not entertain an amendment to the amendment to the amendment.

SANDERS: There is this issue. [laughter]

SHERMAN: But I'm a stickler for process and this doesn't say how many is the "they." Is one sufficient?

SPANG: Yeah.

SHERMAN: Is two sufficient? Do we need a majority of faculty or dean? What initiates the next step, because you'll get into the bind of one faculty member saying I don't like it, and then does it go to the provost?

FISHER: Well, it's going to the provost anyway, Jim. She gets the final decision. She just has to hear what appeals people want to make. It goes – yeah, I mean it really – it routes to her eventually in any case, so...

SHERMAN: Then why is it that necessary for the committee whether there's dissatisfaction or not?

FISHER: I think we want the provost to have heard if there is dissatisfaction.

SHERMAN: Alright.

GREINER: I mean presumably the provost would also want to know, I mean, I think that would be information that – that any provost would want to have so...

ROBEL: Are we ready to vote on the amendment to the amendment to the policy?

FISHER: Please and praise God, yes. [laughter]

ROBEL: Alright. All in favor? I'm going to need help here. All in – [comment indistinct] I think it passes, but all opposed? Okay. Abstentions? Alright, as amended, shall we move on? Let's – Tom, you were next.

GIERYN: Oh, I thought that was the amendment to the amendment.

SIMONS: Well yes, we have further need for the –

[Multiple Indistinct Comments]

SANDERS: We still need to vote on the amendment.

ROBEL: Oh, I get it. Okay, alright. Alright, now on to the amendment to the policy. Shall we vote in favor of that? All in favor? Opposed? Alright.

TERRY: You should see if there are abstentions.

ROBEL: Abstentions? Craig, did you get this?

DETHLOFF: Yes, I did.

ROBEL: Now, let's see. I think it's – I think you're – no, I actually [comment indistinct]

GIERYN: I have a – a general set of –

ROBEL: Or the other way around.

BOSE: I was going [comment indistinct]

GIERYN: What? Oh, sorry!

BOSE: That's okay. I may be feeling a little bit foggy headed but when you, Lauren, talked about the theory of representation you had distinguished between the role of the BFC and then the role of the faculty in various campus fora and I feel a little bit confused because the way that I understand the – this proposed policy is that there are three points in it where the role of the fac – affected faculty through – and the language here is crucial – through their governing bodies get a vote on the policy or not, and my understanding is that the full BFC does not vote, right? And that finally the provost has the final say. So I guess I – I don't see the – I don't – I'm

confused in terms of the distinction between those bodies, because it seems as if this policy does really preserve the authority of the schools and the affected units through their governing bodies as well as allows the provost then to make the final decision.

ROBEL: Well, I – I don't think I should respond to that question. I think that it's the committee that should clarify whether or not the – the way in which they understand the policy to be working.

SUGIMOTO: I think the question was asked for clarification on the statement you made, so I don't think I can speak to that either.

GIERYN: [comment indistinct] I met with the academic associate deans to discuss this policy in its previous state, the one that John reported as the former policy. I will say that that former policy, the response of the associate deans was exactly the same as the deans that Lauren reported on for the current policy. They posted – they developed a set of sixteen questions that went back to the committee. And we're grateful that many, if not most, of those questions were answered satisfactorily. There's one that I think remains and I – I – I think it's important to discuss it. The question is this, from the associate deans, could the proposal stifle innovative change both in terms of structure and programs, it's – it's about structure and programs. Could the proposal stifle innovative change at department and school levels by creating too many hoops to jump through and the hoops, I think, refer in part to the three levels of vote, but also from the discussion we had, refers to the fact that a group of faculty over here are – could by this policy be put in a fundamentally important and new voting role on a proposal that develops over here, if these are two schools. So imagine we have a situation where CREM was proposed by a school. It could be a new degree program, it could be a new department, and it was deemed affecting another school. This policy would kick into place. The provost agreed that the other was affected. The dean, if the dean was the initiator, of the first school would then be in a position of having to try to convince faculty in a different school with a completely different set of interests that this policy was in their best interest. The necessity of soliciting their support for a policy that is about their policy though it does affect this other school that's granted. Deans can work with their faculty. They can sit around that table and talk. They have authority to offer things, to retain things. They don't have that authority with faculty in other units and I'm just concerned a little bit about the way this is structured, that a dean contemplating a change is going to be faced with a – a – a really unpredictable set of circumstances that involve in a sense the veto right of faculty outside of his or her school to thwart this policy. I – I think that's a concern and I worry a little bit about the long term implications of a policy at a moment when we do need innovation. We don't need all changes. There are bad proposals for changes. But circumstances in higher education we know are dramatically changing. We're going through a massive period of change. I don't see that

stopping. If deans and their local faculty agree that something is good, knowing that the affected faculty in another unit have the possibility to bring it to a halt, to a vote, strikes me as having a chilling effect on that – that capacity and desire for innovative change. I – I really don't believe the associate deans oppose this policy because they don't want to work with faculty or because they don't want to listen to faculty, or they're afraid of a faculty vote. I think they are worried about this policy, and I share the concern that their hard work and initiative could be thwarted from a set of circumstances that they really have very little ability to control.

GERSHON: Okay, so I think what – what we want to stress about this is that we're talking about materially and substantially affected faculty. So there's also a question of what – how the provost, now, the CREM Standing Committee and the provost is going to determine what is materially and substantially affected faculty. If there are going to be faculty whose lines are going to be considerably changed by having another school suddenly require them to teach a whole new set of courses or to join them in a new configuration where they have no vote in what that new configuration will be like, I think that's a problem, right? So I think – I think materially, I mean, what's interesting about this is our materially and substantially affected was – used to be a word before it got changed. People's whose FTEs were being altered and affected by this, people with tenure line homes, we now have materially and substantially affected faculty as the way for thinking about this, but we are thinking about the fact that people's – people's academic and professional reputations can get seriously affected by what's happening on the university campus they should have a voice in this, and they should have a chance to be persuaded to move into a new direction. The other thing I want to say is too many hoops? We've actually tried to trace what in fact happens on campus in order to have any merger. We've tried to outline what are the committees that in fact every – everybody who has been unfortunate and were fortunate enough to go over a reorganization over the past four years have had to deal with no matter what.

GIERYN: If I may respond? Ilana – that's – that – that's interesting the idea that one's FTE might be affected in another unit by the actions of a dean of one unit. I'm having a difficult time figuring out how that works. Deans don't have the authority to affect the FTE of a faculty member over there. I'm thinking more back to Jamie's question. What could happen and may – maybe seems more realistic and might also qualify as materially and immediately affected is, oh, just say the Kelley School of Business decides to create a department that – that sort of walks and talks and smells like a department in the College of Arts and Sciences. The provost might argue that the creation of the department of Business "X," where "X" is that college department affects materially faculty – and – in that unit in the sense of lost credit hours, which could translate into lost faculty lines, a – a whole set of things. But this is precisely the circumstance where you end up with the kind of debating over turf that goes on in the Campus Curriculum Committee, and I think Daleke will endorse that that's what goes on there, or

Dennis Groth, now being played out with rival faculty groups trying to protect parts of the curriculum. This policy could create that scenario and that worries me. I think there's a lot of good in this policy. I really do. But I'm worried about certain implications of it, actually going against the best interests of the university, the campus as a whole, and this is one of them.

SUGIMOTO: Do you have an amendment you would like to make, Tom?

GIERYN: It is tough to put that in a form of amendment because I wouldn't know what phrases need to be changed. I – I – at this point I'm reluctant and unable to support the policy because I'm worried about the implications for the capacity of the university to change in this climate of changing structural circumstances in higher ed in our state and our students and so forth.

SIMONS: Yeah, I – I wouldn't think of characterizing it the same way you did, Tom, in terms of a dean of one school having to try and work with a bunch of faculty from another. And insofar as there is this question of something being materially and substantially affected it's going to be that of the school as well. It would actually – the – the – the turf wars are in effect between the deans not between the dean in one school and a bunch of faculty in another. I'm not – so what – what – what we have tried to do here is to establish at the very earliest point when a proposal comes up that there is some – something of a remonstrance process, a process that in the end will be – including the results of which will be decided by the provost – so that those turf wars can – could stop early on in the process and then the proposal can move forward quickly with the support and agreement [comment indistinct] So in some ways, yes, I'm not as familiar as you are with turf wars on this campus, but I think there – there are other ways in which this – this policy and process can actually push – push everyone involved to settle those turf wars and very early on rather than wait 'til the end.

ROBEL: I'll go the – I – I do have something that goes directly to Tom's question and I think is also responsive to the one that Purnima raised. If it has the same sort of, I think, difficulty and that's why they – which required that at the end of the day [audio Interference, comments indistinct] So at various points there's negotiation that has to happen among units on – on something as basic as voting rights; how votes will be counted if you have units of different sizes, how do you count the votes if they have different voting rules within their faculties how those work. And then at V.A., "the plan is voted on by the voting eligible faculty in the affected units, and other faculty members identified as affected in... ..one body," and so what – what happens at this point is that people who are not yet committed to or a part of a voting unit of faculty have the right to vote on the final plan, and I believe by two-thirds – by a super majority. And that's the part of undermining faculty governance that I think probably does give me the biggest pause because it – it takes not only units and their governing bodies, and their procedures, but also assembles this other thing that includes faculty members – who are not by definition yet – not – not a member of the faculty that will ultimately have to live with this, and

puts that group in the position of having to reach a super majority in order to move forward. So I – that I would love to have some discussion about this particular piece. And there are people in line here. I know Laura had her hand up –

SPANG: No, she doesn't.

ROBEL: - and John has had his hand up as well. David?

FISHER: So I'm just confused by what's being said here about people be – in a merger we're forming a new unit, right?

ROBEL: Mmhmm.

FISHER: Well, that – that – that – that's what's happening. We're forming a new unit. And in forming that new unit we're going to be taking people from – maybe it's going to be a merger of two departments cleanly, maybe it's going to be this department, three people from that department, seven people from the other department over there – I don't want to constrain anyone's hands. I don't want to hamper any innovation by saying what a merger can look like, right? I don't want to say that you couldn't take faculty from multiple units without taking entire units. That – maybe that's going to be a great idea sometime soon. So I think – I think what I don't understand about what Lauren's saying is – I think we're – what – what the policy is intending to ask for, or at least as how I read it, is they're asking for the people who are going to be part of this body, who are going to be part of this unit that we're now forming, to vote on whether or not they want to be part of this unit, and my feeling is that if you can't get two-thirds of the people who you want to be in this unit to vote, 'Yes, I want to be in this unit,' then maybe it's time for hesitation and – and – and – and – and pause. And I do – I will just point out that the policy does allow that if that vote fails then the proposal could be revised. And at least in my imagination of how this policy works, the purest revision I can see, well, you rejigger the proposal so that the affected units that are not interested in being part of this are no longer part of it, and so only the people who really want to be a part of this are now affected by it and then you move forward.

ROBEL: So is it the intention of the committee for V.A. to only be people committed to being a part of this unit if it goes forward? Because I think if that – if that's the case – because this comes before any of the campus processes. It comes before you make a proposal within the – the, you know, the CCC. It comes before curric – it – it comes before all of that. If what the committee intends is to say that the only people who can vote here are people who have – who would definitely be a part of the proposed unit, not others, then I think it should say that. But if it doesn't – if it doesn't mean to limit the voting to people who will have to live with the results in a unit – I mean, you're sort of assuming the unit exists. It doesn't at this point. It's [comment indistinct]

FISHER: Oh, I understand – I understand it doesn't. I want – but I just – I want the people who are going to be part – and maybe the committee disagrees with me. I have no idea. I just want the people who are going to be part of the unit to get to vote as to whether the unit [comment indistinct] and – and – and – and I don't want it to be an involuntary process.

ROBEL: Right. That's the question that I'm asking though, is exactly that.

GERSHON: So, V.A. that we're talking about is the finalization moment, alright? And in our understanding the finalization moment – my understanding – the finalization on it is of the faculty who are going to be moving in, our language for affected members are the people who are going to be materially and substantially affected because they are going to be part of this unit.

ROBEL: So in your view, "materially and substantially" affected means tenure line is moved?

FISHER: In part or in whole.

GERSHON: In part or in whole.

SIMONS: So one – one of the – the – one of the things that we're trying to remedy is the possibility that there are people who are intending – would intend to move a tenure line in part or in whole, but then are not sufficiently involved in the process of setting up a new unit or reorganizing. So I do – you know – I certainly see your point about – it's a kind of a chicken and egg thing, you know, where – where do you weigh when those faculty have a right to vote and, again, given some of the feedback we've had then we're certainly pushing towards the idea that you get a vote when you – when you really have – you really have a stake in it. Remember this is – this is not the first time that these people are involved. The poor people have been on these subcommittees and committees by this point. They've – they've given blood and sweat to this plan by this point, so they're involved in the terms of the number of hours they probably put into the plan.

ROBEL: Laura and then –

MCCLOSKEY: Yeah, sure. I – I just said it and Herb had his hand up, too. So I just wanted to say something that – in response to Tom's concerns about creativity. I think at this university and at many others what we've seen is the creativity is coming from the top, so a lot of the initiatives for new schools, whatever, are not faculty down. They're not all, you know, voting, 'Oh, let's start,' you know, 'a new college.' They're coming more from missives from the top, and so I think that actually, yeah, it might stem some of that creativity coming from the top with the actual needs, insights, and expertise of the faculty who are going to be part of that – that change. And so that's why I think it – it is really important to include the two-thirds

majority because as – as you say, David, you don't want to force faculty into a new school that at least the majority, you know, two-thirds would not want to be part of. You're going to have a – a disaster actually, and a lot of political repercussions and – and forced top down on faculty who don't want to be moving, and I – I – I think that's – that's very unfortunate. I think it's happened here at this university, but it happens at other universities. It's not – it – it's kind of the vogue – vogue thing these days, but – so I – I guess that I did want to say that, that I think it's – it's pretty important from that point of view especially since it does deal with the faculty. And also, again, in terms of the creativity issue that Tom raised where I do think, as I say, the creativity isn't really coming from the faculty initiatives but – but nevertheless when it does, it's very important for us to recognize we're part of a community, a larger community. We're not just in our silos despite the RCM model and everything else. We're not just in our silos, and so if we're developing a program that's entirely redundant with another program, yeah, the two deans should start talking about this, right? And they should engage their faculty to figure out a solution that isn't going to take all the students away from another unit. I mean, this is not a productive way, or collegial, and I think that – that redundancy has also been seen here at Indiana University with the construction of new programs, again, without – without that kind of planning stage that this proposal offers.

GIERYN: I was – I was fingered in that so if – if I can – if I can just respond. Let's just change what I said –

ROBEL: I've got a queue.

GIERYN: – from dean proposing an innovative response to the dean and his faculty and school proposing. But I – I want to make it very clear because the turn of the discussion subsequent to my comment forces me to rethink what this policy is about. I had assumed that this policy would be put into play if the faculty and dean in the Kelley School of Business proposed let's say a department of business economics, and there was howls of protest from the College's department of Economics, and they remonstrated. They went back. CREM said you're affected and substantially. No faculty lines are going to be moved here except within Kelley, none of the economists from the College are going to move to that department. Does the policy apply to that situation? And if it does then it's much more expansive. This restriction that you propose, that the only people who would vote are not affected, but people's whose lines would be moved or rearranged or rejiggered that's a – that's an important – for me anyway – thinking about this policy, and I need to know, where are you going to take it?

GERSHON: So D-18 deals with the economics being really annoyed with the – the Sch – Kelley School of Business creating [Audio Feedback] we weren't touching that.

ROBEL: No, it doesn't.

GIERYN: You have written – your – your policy is called units and programs. Programs would be the creation of the department of business economics in the Kelley School of Business.

ROBEL: What deal –

GIERYN: That is decidedly totally internal or –

ROBEL: What deals with that is the CCC.

GIERYN: – or if an affected group is included in the vote, then my position stands that a group of faculty can thwart another group of faculty in the desire to create some innovative change in the program.

SIMONS: They can only do so with the provost's permission.

GIERYN: What?

SIMONS: They can only do so with the provost's permission.

SUGIMOTO: Right.

GIERYN: Putting the provost in a really difficult position of having to settle an RCM turf battle at this particular juncture and maybe that's – that's –

[Multiple Indistinct Comments]

MCCLOSKEY: That's the job. [laughter]

ROBEL: And you're welcome to it, Laura. [laughter] But I do want to point out this – this isn't – this is a little different. You – you had two different things you were talking about. One was a – a reorganization, move tenure lines, you know, whose creativity, whose authority, and I do think this is all about whose authority faculty to faculty, you know? But the – the other part you were talking about dean to dean ought to be talking about this. That happens now in the Campus Curriculum Committee. Trust me when I tell you in the Campus Curriculum Committee people – if there were a move in the Kelley School to create a department of business English the – the Campus Curriculum Committee would be a bloody war, and it would not go through there to the next stage under any circumstances. It won't – it just can't happen given the Campus Curriculum Committee

PAOLILLO: So...

ROBEL: So I'm just going to – I want to take that out because I think that's a red herring. And then I want to come back and just get the answer to the question I asked. "Substantially affected," means tenure lines are moved because that – that solves many of my issues. It – it doesn't create a unit in which people who are contingently engaged, who may or may not be a part of the unit going forward depending on whether they decide to, you know – these are people who are committed to the unit and so they have a stake in its future. That's what you need.

GERSHON: This – this was our lingua – this was our original language.

ROBEL: Why did you change it then?

GERSHON: We were – I – there have been so many people pushing us to revise. Someone asked us to revise this language, and I would have to have five more minutes to kind of go through and remember.

SIMONS: Do you want to propose an amendment to return that language?

ROBEL: I – I am – I'm not proposing amendments, because I'm sitting as the chair.

SPANG: Can – can I ask that – ?

ROBEL: You are in the queue. Actually next and the [comment indistinct]

SPANG: I've been thinking about another possible configuration that doesn't seem to be either the creation of the department of business English or just spontaneous desire and everybody loves doing it and they all vote for it. Imagine a case where a very generous donor gives the funding for a very well supported school of United States studies, and the American historians within the history department, within the College, say, 'Great, we want to be in the school of US studies. Our salaries will double.' The rest of us in the history department will be materially affected by the disappearance of our American history colleagues, but if it's about whose FTE gets transferred, if you – if you change it back to that language, then we don't have a say in the history department dwindling to a third of its size. So...

SUGIMOTO: Which is – which is part of the reason the language states as it is, that we examined all of these various issues, we consult, we make a recommendation on who's affected, and the provost makes that final decision because there are a diversity of hypotheticals. We could spend the next two BFC meetings discussing every possible hypothetical. The question right now is do we want consultation and response, which is what we have in the current D-16, or do we want voice and vote, which is what we have as our proposal. And I am afraid that we're derailing the conversation a bit imagining every possible manifestation we can have.

ROBEL: So Herb and then John –

TERRY: This is on –

ROBEL: – and then Frances –

TERRY: This is –

ROBEL: – and then Micol.

TERRY: This is on – this is on the same point. It's not hypothetical. When we created the Media School, the creation of that resulted in the elimination of something else, more or less the department of Communication and Culture, and I think an important question is whether or not that you're going to go into this new unit and you think it's a good idea or not, but are you disenfranchised if you're going to be forced to keep your tenure line somewhere else because a minority of the members of the unit is attracted to the new unit and a majority is not – and I – I'm disturbed that this discussion is trying to define affected unit as, 'I'm moving into the thing.' If your current unit's being substantially changed –

GERSHON: I feel like my – as – as someone who has had to move from Communication and Culture to Anthropology, I feel like my tenure line has been – been substantially affected.

TERRY: Yeah.

ROBEL: So – so – so you're backing off the – or you feel like it's still only people whose tenure lines move.

GERSHON: So –

SUGIMOTO: I would accept any amendment if people – I mean not accept, but I – if you guys have an amendment on the floor to be considered, I think we should put that forward and we should vote on it.

GREINER: It does sound like the clarification is "is affected" not "is moved." You're saying whose tenure line is affected, not whose tenure is moved. Is that... Those are different things, I would think.

ROBINSON: Are we talking about I.C.?

PRENKERT: Yeah...

UNIDENTIFIED FEMALE SPEAKER: Yeah, where are we?

ROBEL: We're talking about V.A. among other things, but...

ROBINSON: It seems like the language of material and substantial are I.C....

GIERYN: I had a parenthetical definition of material and immediate or – I believe it was “substantial and immediate.” A parenthetical definition at that point first time it appears might clarify. I don’t know exactly where the first –

ROBINSON: It’s immediately and substantially...

[Multiple Indistinct Comments]

ROBEL: I’ve got a queue, so if we’re talking to this issue, who’s next? I think Herb just spoke. John, Frances and Micol.

HASS: One behind you.

ROBEL: And then Jamie.

PAOLILLO: I’d like to make a couple points. In terms of the materially affected, and like Herb said, we can’t reduce this to tenure lines. We have non-tenure-track faculty. They do not have tenure lines. They can be materially affected by changes in these kinds of units. The other point that I would like to make is a very general one and it has to do with the comparison that this CREM policy with respect to the policy D-16. Policy D-16 says, “consistent with our commitment to shared faculty administrative governance, the faculty expects that the following principles shall govern the processes of reorganization.” There is no regulatory language in this policy. Anything can happen under this policy, whereas with respect to the new CREM proposal there is actual regulation going on. There’s more than just a mere expectation that there is – that some things will vaguely happen, but there are actual procedures and things like that. So I am in general strongly in favor of the new CREM proposal because of these things. Because it gives us actual, concrete things that will happen that we can work with in order to ensure that CREM processes are done well.

ROBEL: Frances?

TRIX: I want to really speak in favor of this, too, and I want to disagree with Laura that there really have been faculty bringing forth proposals. In 2007 there was proposal to try to get an international school going, that final thing that became the global thing, and people voted for it and it cut off at the knees and I don’t know how many other proposals faculty brought forward, and this gives process to that and I think this will really encourage creativity among the faculty and I want to speak out really strongly in favor of this. And I have never had so many people that I represent e-mail me to this. They’ve all been positive and they’ve all given strong reasons for it.

SEIGEL: Well, I was going to say something very much along those lines regarding faculty creativity and so let me add instead that I think this proposal would really strengthen shared governance and the administration of the university in general, and I think that maybe there is some sort of fear on the part of administrators that faculty will be uncooperative precisely because there hasn't been good shared governance and the recent experience of faculty involved in mergers has been so very negative. If we can create a policy in which faculty are genuinely heard and participate, then I think we'll create a climate in which faculty are really interested in being involved in jumping onto the possibilities that mergers and re-creations provide. And any policy in which faculty are on board from the beginning has such a much greater possibility, not only of success but also it could be really interesting and robust and creative and having all kinds of things proposed and added to it that the administration might not have come up with on their own being only experts in one field, and this policy strengthens the administration's hand enormously, particularly because it grants a lot of very appropriate authority to the provost in determining this – this body of affected faculty. I think that – that if the deans were to remember that faculty are their allies they would join with what I've also seen to be really enormously widespread support for this proposed policy.

ROBEL: [comment indistinct]

PRENKERT: So I think some of the concern about the definition of affected faculty because those, the affected faculty, shifts – if I understand the policy correctly – between what happens in step three – or in item number III., which is the evaluation of the *prima facie* case, the investigation, and the proposal which results in a vote, and the affected faculty would be everyone in all of those affected units who vote on that whether it goes forward or not, and if it doesn't it doesn't go forward. And then step – number V. is the – you have a plan that develops – so if the vote is positive there, there's a plan that's developed on how this goes forward. The affected faculty at that point are a different group of people. They're the people who are going to be part of that new unit or whatever it is, whatever the result is. And the people who don't want to be involved in that are, I think, are not – lost their vote in the – in the previous vote, I mean lost the – lost the – lost their desire, I don't mean – but – and so I think there's two different, I mean, if – if what – what happened was there was a positive vote on the CREM and then you plan what the CREM is, then you – the people who are not going to be a part of whatever that CREM – I mean – I think CREM is also a confusing term when it represents so many things – but then I think that I agree with, in general, without tying it to tenure lines in particular, but sort of who are affected in their contract, tenure, whatever it is via the move would have a vote there, but those who are – who are – are not going to be, had already had their vote in part three. And by the way then, one other sort of housekeeping thing is regardless of who is voting in V.A., I think it has to be clear what – what two-thirds we're talking

about. Are we talking about two-thirds of all of the faculty or two-thirds of the faculty that vote, in other words does apathy count as a “no” vote or does it – does it count as – not at all?

SUGIMOTO: Do you have suggested language you’d like to put in there?

PRENKERT: I think it should be, “If two-thirds of the voting...” whatever we come up with for affected faculty members “...vote –

ROBINSON: “...two-thirds of eligible...”

SUGIMOTO: “... of the voting eligible...”

[Multiple Indistinct Comments]

SUGIMOTO: “Participate.”

PRENKERT: Well, I think it’s – no I think it should be – “participate.” There you go.

UNIDENTIFIED FEMALE SPEAKER: Of those who participate in the...

PRENKERT: Because I don’t think apathy should be a “no” vote. I think you ought to have to register your vote.

SUGIMOTO: I can accept that as a...

ROBEL: Where – where is – what’s the amendment? Just so we’re... So in V...?

PRENKERT: But by the way, I don’t think that that amendment resolves what I think are two different bodies of affected faculty between III. and V.

SUGIMOTO: For clarification, alright, there is a list generated and a remonstrance period and the provost decides before the first vote and then there is another list generated, a remonstrance period and a final list before the third vote. So, yes, there are people who may not be materially and substantially affected –

PRENKERT: Okay.

SUGIMOTO: –as the progress – as this has progressed in a different way. And again the provost would be involved in that discussion of – of deciding who –

ROBEL: In – in that second one as well? In that list of all affected faculty members in IV.B.?

SIMONS: Yes.

PRENKERT: Right.

LEVINSON: So the amendment would be, “If less than two-thirds of the faculty members actually casting vote, vote in favor of the plan...?” Is that the amendment that we’re looking for? It’s V.A.a.?

SIMONS: Yeah, Jamie? Can – could you give your language again? I couldn’t keep up.

GIERYN: You could settle the core issue as well as the proportion issue. In other words let’s get it on the table. If you’re going to go the trouble to make an amendment let’s get an amendment on what “materially and immediately” means and vote on that so it’s all clear.

ROBEL: And I also think I’m not involved, actually, in the – the planning committee’s list of all affected faculty under – unless you show me where that is. That’s IV.B.?

SUGIMOTO: IV.C.

ROBEL: IV.C.

[Multiple Indistinct Comments]

SIMONS: Could we do – ? We’ve got now three different amendments that – or possible amendments – that people are proposing.

ROBEL: Oh yes. So just to – I’m right am I not, that I am not involved in that piece. I just disseminate it.

SUGIMOTO: [comment indistinct] was one of the intentions of the amendment [comment indistinct]

ROBEL: So Jamie you’ve got an amendment let’s start there.

PRENKERT: Well, I – so I – I – I guess that I am not prepared to offer an amendment about the – the two different populations because I think I’m now so confused I do not understand how that works actually so I apologize, but I...

ROBEL: Okay. So then the next person?

SUGIMOTO: Of those voting? Is that the – the idea that we want?

[Multiple Indistinct Comments]

ROBEL: I think the next person is Lori – in my queue.

DUGGAN: Just switching gears slightly I have what I hope is a friendly amendment to put forth. On page two of the document under item I.E., within that first sentence I’d like to propose that the phrase “and librarians” be added in two places so that the first line reads, “unless otherwise

specified, 'faculty' refers to all tenured faculty and librarians, tenure-track faculty and librarians in all categories of non-tenured..."

SUGIMOTO: We happily accept that.

GERSHON: Yeah.

ROBEL: Is – is it both to limit it to tenure-track faculty and to librarians?

DUGGAN: Yes.

ROBEL: Because that's not what it says now.

DUGGAN: Yes, so – yeah, so the – the proposed amendment is to add "and librarians" after "...tenured faculty..." and "...tenure-track faculty..."

UNIDENTIFIED FEMALE SPEAKER: Which [comment indistinct]

DUGGAN: Page 2 behind [comment indistinct] I.E.

ROBEL: Okay, is there a second?

UNIDENTIFIED MALE SPEAKER: Second.

SUGIMOTO: We had accepted it as a friendly amendment.

ROBEL: It's not actually – the next person in my queue is Steve.

SANDERS: You've talked about sort of what happens near the final stages of the process, but I'm confused and could use some clarification on II.D. So before we've even gotten to the stage where the review committee is evaluating the CREM there is what I'll call, I guess it is pejorative, I don't really mean it that way, a – a – a choke point where the thing can be essentially vetoed or stopped by affected units before it even goes to a committee. I'd like some clarification on how that works. So we're at the point where the provost has identified definitively the affected units, but it sounds as though the people who get a voice here – this group is broader than just the people whose FTE are affected and I want to be sure I'm understanding that correctly. II.D. just refers to faculty and governance bodies of the affected units. So let's have a hypothetical. Let's say the School of Global and International Studies is in place and it wants to absorb half the history department. So the affected units are the faculty of the School of Global and International Studies and the history department? So does II.D. kind of address Herb's concern – or maybe it was Rebecca's concern – that – that – that colleagues who are just staying put facing the loss of their colleagues to a merger are included

in the vote at this point because it is the history department that is the affected unit and they vote together with the School of Global and International Studies at this juncture. Is that right?

SUGIMOTO: We should imagine your hypothetical actually fell into this policy. So let's say SPEA instead of SGIS.

SANDERS: Okay.

SUGIMOTO: And then in that case, again, that's that same list of affected units and faculty that we've established –

SANDERS: Right.

SUGIMOTO: – in that previous paragraph. And those would be the people who'd be voting in that [comment indistinct]

SANDERS: Okay, so – so even the members of the history department who'd actually not ultimately have their FTE moved, since the history department is the affected unit they would get a say.

SUGIMOTO: So the – the question is again, does someone want to propose an amendment that defines what it means to be “affected?” Right now we have left it to the integrity and intelligence of the CREM standing committee and the provost to assess everything in this diversity of potential hypotheticals and make decisions. I mean, if this body would like to propose an amendment they should, because I do not think it is for us to – to imagine an answer to every question. That's – that's why we are establishing a CREM standing committee because these things are complex and they're going to be different every time.

SANDERS: Yeah, but does say “affected unit,” so I – I'm assuming that means a department.

SUGIMOTO: If it was selected as an affected unit, yes.

SANDERS: Okay, so – so let's assume I'm right, the whole history – the CREM standing committee would decide the affected units are SPEA and the history department, so not just the people who'd be moving from the history department, but the whole history department would get a vote at this stage. The second thing I don't understand is this combining votes from the individual units. How does this guard against the possibility – if – if the whole – the whole SPEA school outnumbers the history department how will this ever be a fair vote? I mean, units that are larger than other units will always dominate this process it seems to me. How do we avoid tyranny of the majority if the voting is pooled at this point?

SIMONS: Yes. And precisely that's why it doesn't say that it's a majority – a majority numb – a majority of all of those faculty votes precisely. Given that we – we don't have – we have school

governance and we faculty governance, we don't actually have governance arrangements for all those units in between, so what's stated in this policy is that those – those units have to make a sort of an ad hoc arrangement for how they're going to do that, and obviously a small minority will make a strong case for saying they're not prepared to go for a vote but [comment indistinct] And they have to negoti – they have to negotiate that.

SANDERS: I guess –

SIMONS: Again, we can't – we can't determine everything, we have to leave some things up – up to people's judgments. We wanted not to write that in in any detail because we wanted to defer to the judgment of the faculty involved.

SANDERS: I guess – can I just –

ROBEL: I think the next person – if you want to follow up –

SANDERS: Well, I'll – I'll just say a final kind of – to me II.D. is so vague and undefined it provides a choke point or a veto point, yet it's completely unclear to me who gets to vote, whether the votes are pooled or not, what the affected units are. I – I – I worry that it's just kicking a can down the road whereas the policy should be about setting out clearer guidelines and understandings at the outset.

ROBEL: The next person is Jim.

SHERMAN: Yeah, I – I was going to – I – I support the principles and goals of the – of the proposal very much. I'm all about efficiency and [comment indistinct] unwieldy and this is one of those points where I think it's really unwieldy. I think that Steve had suggested earlier that instead of pooling everyone why not say it has to ask each affected unit so the size won't matter, and they won't have to come up with a rule of pooling. And the second part is if there are individual faculty here, or there, or everywhere for different reasons, kind of making it a unit, it seems a bad idea. They may have nothing in common.

SUGIMOTO: So would you like to propose that as an amendment, the first part that [comment indistinct]

SHERMAN: Certainly the first part that is – that is – that is pooling, you know, leaving it up to them to come up with a voting decision or have it asked by each affected unit –

SUGIMOTO: [comment indistinct]

SHERMAN: – what to do with the individual from here or there and everywhere, I – I wouldn't put them in another unit.

ROBEL: Well, I've got a long list and I think Jim's going to need some time to formulate a – a –

SHERMAN: I did have one other – one other [comment indistinct] and it had to do, with all due respect, to where this is initiated. It seems to me that if initiation comes from the student body to the CREM committee, the first thing the CREM committee will do is go back to the affect – to the faculty. So it seems to me that rather than have the students initiate the CREM, if a student initiated it, it ought to go through the relevant faculty for the students rather than through CREM because I think it's a least a step [comment indistinct] going from student to CREM body, then it would go back to faculty in my opinion if I were involved.

MCCLOSKEY: I second that, Jim.

ROBEL: So that would be to amove – to remove –

SHERMAN: [comment indistinct]

MCCLOSKEY: Right here it says it can be a student initiating –

SHERMAN: Absolutely.

MCCLOSKEY: And I think it – I agree with Jim, that it should be through – it has to be channeled through the faculty –

SHERMAN: It will be ultimately.

MCCLOSKEY: – or it should be.

ROBEL: So we have on the floor an amendment and a second with respect to –

FISHER: Do we have an amendment? Do we have language?

ROBEL: Yeah, we do.

FISHER: What does it say?

ROBEL: I believe you'll find that –do you want to point at it? It's the initiation of the CREM, the last piece is by students through any of their governance bodies, and I think that the amendment was, "by students through the faculty." Is that accurate?

SHERMAN: Yes.

GERSHON: Could – could we hear from the student representatives at this point?

BRADEN: I – I guess I'm just a bit confused as to the purpose of that. I mean there could be a potential situation where students have id – have an idea that they would initiate, and the

faculty just doesn't agree and we don't have faculty that are interested. I mean, if it's truly just efficiency that you're worried about I don't think that is any justification for – for taking that language –

SHERMAN: And with all due respect if students propose something that the faculty that are affected don't agree with this ain't going anywhere.

BRADEN: Exactly, which is why it would then go to the CREM committee and they would –

SHERMAN: But then back to the faculty.

MCCLOSKEY: Someone has to teach the courses for the new school.

SEIGEL: Jim, why doesn't that principle apply to faculty and administrators?

MCCLOSKEY: Because faculty teach –

ROBEL: Please, please. Okay, we have something on the – the floor, which is the – an amendment with respect to students through the faculty. Are we ready to vote on that?

TERRY: [comment indistinct] I actually like the idea of the students going to the CREM committee because they might propose something for which there is no current faculty.

SPANG and SEIGEL: Yeah.

TERRY: And – and the CREM committee is the faculty. It's – it's a committee of faculty, and they would go – it is a really good thing and that would keep it moving despite the fact there was no faculty body to go to.

ROBEL: Well we're – we are at the end of our meeting time. Would we like to vote on this one thing and then let the com – the committee take in the things that we said so far and continue to the next one –

SEIGEL: Can we vote to extend the meeting by enough minutes to vote on the whole policy?

ROBEL: That takes – that takes actually, you know, two-thirds vote.

SANDERS: More than that, unanimous consent.

TERRY: Unanimous consent.

SEIGEL: Can we vote on that?

ROBEL: Oh, unanimous consent.

SEIGEL: Can we try? Does everybody want to stay another ten minutes and see if we can get this done?

ROBEL: No, I do not. [laughter] Well, do we – I think we're done then, if we're going to come back and maybe the – I think [comment indistinct].

MEETING ADJOURNED AT 5:30PM