Indiana University
BLOOMINGTON FACULTY COUNCIL
September 2, 2014
IMU – Georgian Room
3:30 P.M. – 5:30 P.M.

Attendance

MEMBERS PRESENT: Joelle Bahloul, Marlon Bailey, Abhijit Basu, Purnima Bose, Andy Braden, Michelle Chung, Carrie Docherty, Lori Duggan, Nathan Ensmenger, David Estell, David Fisher, Alyce Fly, Lessie Jo Frazier, Thomas Gieryn, Gerhard Glomm, Margaret Gray, Dennis Groth, Daphna Rae Greiner, Brady Harman, Jeff Hass, Bradley Heim, Israel Herrera, Ed Hirt, Gretchen Horlacher, Karty Jonathan, Bradley Levinson, Karma Lochrie, Jon Lozano, Jon Macy, Laura McCloskey, Patricia McManus, Joseph Miller, Sharlene Newman, John Paolillo, Jamie Prenkert, Deanna Reising, Lauren Robel, Ben Robinson, Leslie Rutkowski, Micol Seigel, Jim Sherman, Jon Simons, Rebecca Spang, Geoff Sprinkle, Cassidy Sugimoto, William Swanson, Alex Tanford, Herb Terry, Mikel Tiller, Frances Trix, Justin Vasel, Edward Vasquez, Nona Watt, James Wimbush

MEMBERS ABSENT WITH ALTERNATES PRESENT: Catherine Sherwood–Laughlin (Lesa Huber)

MEMBERS ABSENT: David Baxter, Laura Ginger, Krista Glazewski, Timothy Hoch, Cheng Kao, Michael McRobbie, Jennifer Pearl, Steve Sanders, Rebecca Spang, Michael Wade, Sun Un Yang

GUESTS: Eva Allen (Office of the Vice Provost for Research); David Daleke (Vice Provost, UGS), Catherine Dyar (Provost's Office), Leslie Fasone (Office of the Dean of Students), Pete Goldsmith (Dean of Students), Julie Knost (AA/EEO), Bob Kravchuk (SPEA, BAC Chair), Debbie Lemon (Secretary, Board of Trustees), Rachel Martinez (Culture of Care), Stephanie Roberts (Assoc. Director of Research Compliance, COI), Jacqueline Simons (OVPGC), MJ Slaby (*Herald–Times*), Emily Springston (OVPGC), Katy Strand (School of Music), Eric Swank (Executive Director of Research Compliance, COI), John Whelan (AVP, Human Resources)

Agenda

1. Approval of Minutes
http://www.indiana.edu/~bfc/docs/minutes/13–14/04.01.14.pdf
http://www.indiana.edu/~bfc/docs/minutes/13–14/04.15.14.pdf
http://www.indiana.edu/~bfc/docs/minutes/13–14/04.29.14.pdf

2. Memorial Resolutions for Lloyd R. Peterson and Giorgio Tozzi

Lloyd R. Peterson: http://www.indiana.edu/~bfc/docs/circulars/14–15/B4–2015.pdf
Giorgio Tozzi: http://www.indiana.edu/~bfc/docs/circulars/14–15/B5–2015.pdf

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

Circular B1: http://www.indiana.edu/~bfc/docs/circulars/14–15/B1–2015.pdf
Circular B2: http://www.indiana.edu/~bfc/docs/circulars/14–15/B2–2015.pdf
Circular B3: http://www.indiana.edu/~bfc/docs/circulars/14–15/B3–2015.pdf

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

5. Question/Comment Period[1]

6. Revisions to the Bylaws of the Bloomington Campus Conflicts of Interest Committee (10 minutes)
(Eric Swank, Executive Director of Research Compliance; Stephanie Jones, Associate Director, Research Compliance) [ACTION ITEM]
http://www.indiana.edu/~bfc/docs/circulars/14–15/B6–2015.pdf

7. Sexual Assault Prevention Initiative (25 minutes)
(Jacqueline Simmons, Vice President and General Counsel; Emily Springston, Associate General Counsel; Pete Goldsmith, Dean of Students; Rachel Martinez, Culture of Care) [DISCUSSION]
http://www.indiana.edu/~bfc/docs/circulars/14–15/aux/Fall2014SVPrimer.PDF
http://www.indiana.edu/~bfc/docs/circulars/14–15/aux/SVPreventandRespond.PPTX

8. Introduction to John Whelan, Associate Vice President for Human Resources (15 minutes)
(John Whelan, Associate Vice President for Human Resources) [DISCUSSION]

Minutes

AGENDA ITEM 1: APPROVAL OF THE MINUTES

ROBEL: Good to see everyone, welcome to the semester. Welcome back to campus. Good luck getting anywhere from here to there, but that's, you know – I am sure we'll – we're going to be seeing wonderful upsides from all of them – all of the many constructions projects that are – that are all happening. We start with the approval of the minutes. Do I hear a motion?

[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

UNKNOWN MALE SPEAKER: So moved.

SUGIMOTO: Seconded.

ROBEL: Thank you. Alright, moved and seconded, any discussion? [Silence] All in favor? [Aye] All opposed. [Silence] Good start. I heard as we always do at the beginning of our – our meetings to take a moment to honor our – our colleagues who are no longer with us. For that I always turn to Tom Gieryn.

AGENDA ITEM 2: MEMORIAL RESOLUTIONS FOR LLOYD R. PETERSON AND GIORGIO TOZZI

GIERYN: Lloyd Peterson was born in Minneapolis, Minnesota. The farthest his educational pursuits took him from his birthplace was to Gustavus Adolphus College, a distance of 60 miles. In part at the urgings of his parents, he initially took up theological studies as an undergraduate, but soon switched his focus to psychology. He obtained his M.A. in 1951 and his Ph.D. in 1954 in psychology from the University of Minnesota. There he studied under Kenneth MacCorquodale, one of B. F. Skinner's earliest students. With MacCorquodale, Lloyd began his studies of memory, at first in rats. Later at IU he began studying memory in humans and became one of the pioneers in the just–beginning field of cognitive psychology.

Lloyd was appointed as an Assistant Professor at IU Bloomington in 1957 and promoted to full professor in 1965. He retired in 1987.

Lloyd related a story about his father, who seemed not quite reconciled to Lloyd's shift from theology to psychology. Visiting Lloyd's lab at IU some years after his appointment, his father remarked, "And they pay you for doing this?"

Lloyd's name will always be associated with the groundbreaking work that he and his wife, Margaret Intons–Peterson, carried out on short–term memory. Their initial study is one of the most frequently cited papers in experimental psychology.

Thousands of psychology students have heard about the Peterson and Peterson study, which showed how remarkably difficult it can be to remember something as seemingly simple as three letters when the opportunity for rehearsing those letters is prevented. The "forgetting curve," as it is now known, has since been reproduced in hundreds of textbooks. The study became one of the cornerstones of what has been termed "short–term memory" and helped move that important concept from the laboratory to general awareness. It also serves as a foundation for an in–class demonstration to students that a failure to rehearse verbal material results in little retention of the material. Indeed, applying that demonstration to their own reading and studying might well be the most important point students can take away from the entire course.

Some 21 years after its publication, Lloyd provided a footnote to this landmark study. He was asked to comment on the study, and in his comments Lloyd recalled how the editor of the journal which accepted the article requested that several graphs be condensed into a table. In doing so, one of the key findings

of the paper, the effects of rehearsal on memory got overlooked. The paper became famous while missing what to Lloyd was one of its main points.

His research later turned to the role of imagery in memory. Lloyd employed some ingenious methods for examining this important topic, a topic that is difficult to bring under experimental control. Still later he began studies on multitasking by both computers and people, well before the topic gained its current popularity.

Lloyd regularly taught across the curriculum: from the introductory course to a 100–level laboratory course to a 300–level course on the psychology of learning to an advanced laboratory course for graduate students and a graduate seminar in learning. He was known as a thoughtful, caring instructor, who varied his teaching style and approach to match his students' levels of sophistication. Comments by his former students at the celebration of his life were consistent in praising the time and effort he brought to his teaching and mentoring, the way he provided his full and undivided attention to their discussions, and the candid and kind assessments he gave them.

As a departmental citizen, Lloyd was a person sought for his thoughtful and objective opinions. In matters of hiring or curriculum development, Lloyd could be counted on to put aside personal biases and provide advice about what was best for the department and for the students.

Lloyd represented a model of an academician: a distinguished scientist, a teacher committed to teaching across the curriculum, and a contributing departmental citizen. His personal and professional style might best be summed up by the comments from several of his former students: Lloyd was a "true gentleman" and a "gentle man."

This resolution is a permanent part of the minutes of the Bloomington Faculty Council. Lloyd and Peggy were the parents of four children, Stephen, Layrn, Bruce, and Celia, and the grandparents of Sara Jean and Seth Vid Peterson. Copies of this resolution will be sent to Lloyd's family members.

With a voice that could both thrill with its power in Verdi's most dramatic operas, and melt the listener with its warmth and tenderness in "Some Enchanted Evening," bassocantate Giorgio Tozzi's enormous gifts as a singer and actor propelled him to an international career which extended beyond opera into musical theatre, film, recording, and television.

Giorgio Tozzi was born on January 8, 1923 in Chicago, Illinois, George John Tozzi. He began singing as a teenager but entered DePaul University planning to major in biology. He soon returned to music, studying with Rosa Raisa, Giacomo Rimini, and John Daggett Howell. After Army service in World War II, Mr. Tozzi began his vocal life as a baritone. He made his debut (as George Tozzi) in 1948, singing Tarquinius in Benjamin Britten's opera "The Rape of Lucretia." Staged at the Ziegfeld Theater on Broadway, the production also starred Kitty Carlisle. Tozzi made his Italian debut in 1950, in *La Sonnambula at* Milan's Teatro Nuovo. He arrived at La Scala in 1953, in Catalani's *La Wally,* and returned to that theater on several occasions, notably as Saint–Bris in the starry 1962 revival of *Les Huguenots* with Joan Sutherland, Franco Corelli, and Guiletta Simionato.

During his tenure with the Metropolitan Opera (1954–1974), he sang 399 performances of thirty–seven roles, including Borisin *Boris Godunov,* Ramfisin *Aida,* Figaro in *The Marriage of Figaro,* Don Basilio in *Barber of Seville, Philip* in *Don Carlo,* and Hans Sachs in *Die Meistersinger von Nurnberg.* He performed leading roles in the San Francisco Opera productions of *Boris Godunov,* and *L'Amore di Tre Re,* in which he had significant roles, was produced and televised by NBC. His creation of the role of Hans Sachs featured prominently in the Hamburg Opera film version of *Die Meistersinger von Nurnberg.* Hisportrayal of King Melchior can still be seen in the NBC television version of *Amah/ and the Night Visitors.*

Giorgio appeared in concert as soloist with the orchestras of New York, Boston, Chicago, Philadelphia, Cleveland, San Francisco, London, and numerous European ensembles, in collaboration with some of the great conductors of the twentieth century, including Solti, Walter, Mitropolous, Reiner, Giulini, Leinsdorff, and Ormandy. His recordings of Verdi repertoire remain the gold standard for many music lovers.

In musical theatre Giorgio sang leading roles in *Fiddler on the Roof, Zorba, Man of La Mancha,* and *The King and I ,* and appeared opposite Mary Martin and Florence Henderson in revivals of *South Pacific.* His performance in *Most Happy Fella* earned him a Tony nomination for Best Actor in a Musical. For his portrayal of Emile de Becque in *South Pacific,* he received the San Francisco Critics Award for Best Actor, and his recordings won four Grammy Awards. Such was his appeal to the general public that he appeared as a guest on television programs hosted by Skitch Henderson, Dick Cavett, Mike Douglas, Merv Griffin, and Johnny Carson, and appeared as a guest star on seven television series, including *Kojak, The Odd Couple,* and *3 for the Road.*

Giorgio joined the Music Faculty at Indiana University in 1991. He was named a Distinguished Professor in 2001, and retired in 2006. His students adored him. His artistic authority combined with good humor and sincere support for their talents helped launch many students into successful careers. Soprano Carol Vaness has a vivid memory of Giorgio from the time before she began her career. She was a finalist in the Metropolitan Opera Council Auditions but did not win. Giorgio, who was in attendance, took time to sit and talk with her. With his characteristic warmth and great good sense, he told her not to worry, that she would have a great career regardless of the outcome of the competition. She treasured his support then, and still today talks about how much it meant to her as a young singer that an artist of his stature would take the time and interest to encourage her personally. In a lovely symmetry, she now occupies his old studio.

A champion raconteur, Giorgio loved to regale everyone with anecdotes from his professional life and good jokes in general, always delivered with exquisite theatrical timing. Legendary and often quoted by his friends and students, many of these stories might best be described in these pages as piquant!

Giorgio's friendships with colleagues and students are reflections of the commitment to family that was central to his life. Giorgio passed away on May 30, 2011, in Bloomington, Indiana. His beloved wife Monte passed away on December 24, 2011. He issurvived by his children Eric and

Jennifer, his two granddaughters and grandson.

ROBEL: Could I – I say just a word about this tradition for new members? We start, unfortunately, almost every meeting with memories and remembrances written by their colleagues of – our colleagues who have died during the period since we last met and I think it's an important – important tradition, one that connects us to the reasons to – to the community that we're in and to the – the kinds of work that we do. So with that could we all stand for a moment?

SHERMAN: Lauren? Could we – ?

ROBEL: Sit?

SHERMAN: I wanted to – I wanted to add something. I checked it with Tom so… I want to do something – you can sit for a – I – I checked this with Tom because I wanted to do something that's – that's nontraditional for – for two reasons. The first reason, as Tom pointed out, is you'll note that the two resolutions that Tom read were from people who died over three years ago, and there's a big delay between when people die and when we get these resolutions and I – I – I think if we could try to shorten the period it would be a really good thing because it would be much more fresh in our memories and that would – that would take people in departments and schools to encourage their colleagues who would write these resolutions to get them written and they could be read. I agree with Lauren. It's really important. The second thing I want to do is to kind of go off book and – and give my own kind of memorial resolution for a faculty member who died very recently because he was very, very special and meant a lot to a lot of us, and that's Al Ruesink.

Al was a – I – I mean he did everything in the university, especially with regard to faculty governance. When Myles Brand was president he served in the special position of faculty advisor to the president where he was like the link between the president and the faculty. A lot of good things that you have on your healthcare benefits and retirement were due to Al because he knew more about the healthcare issues than anyone on campus, and he worked very hard to do those things. He taught, I think, almost every year at the mini–university and he always had the highest attended class and it was always the highest rated. Just a couple of personal observations about Al that I'll remember are number one, his university phone number, which was hard to forget. It was 5-5555. So, I don't know how he got it, but he did. The other thing that I remember about Al that – that's personal is that in about 1969, before anyone knew about jogging and running there were three of us on campus, Al Ruesink, Cleve Wilhoit, who was in the Journalism School, and I would go to the HPER Field House, Wildermuth, and – and we would run, and there aren't many of you who know this, but in those days the track around Wildermuth was a dirt track. So when it rained and leaked it was

kind of muddy and it was uneven, but that's where we ran. And when we finally achieved running a half a mile we were thrilled. I mean this is how – this is how different it is from today. We wore high–top sneakers because I think none of us knew that they made special shoes for running, and I enjoyed those – those runs with Al and Cleve, and he – he was just – he was wonderful as –

ROBEL: He was wonderful.

SHERMAN: So…

ROBEL: With that... [All stand in silence] Thank you so much. [All sit] I would like to recognize our president.

SHERMAN: Thank you and I – I – please – ?

BAHLOUL: I have a small request. Could you please speak to the microphone? I sometimes have problems hearing. Thank you.

SHERMAN: I will do this. Is that better?

BAHLOUL: Yes.

AGENDA ITEM 3: EXECUTIVE COMMITTEE BUSINESS

SHERMAN: Okay. Yes, I also want to extend greetings to all of you both former members and new members. So let – let me just say a couple of things. I think we did have our BFC retreat very recently and during that meeting I think many of the things that we would have said now were conveyed there. So let – let me just say a couple of things. First, as I think – I hope you're all aware because you received it that within the last week I sent to you a – a memo that tried to outline the issues that we would likely be considering during the year, and it was both to give members a heads up and let you think about what we have coming forth, but it went to the entire faculty because I thought that we could use it to encourage non–members to be interested and participate and send in their ideas and – and use their creativity. I was asked by a number of people, you know, how come this went out under Tom Gieryn's name? You know, how – why should he be involved in this? And I was under the impression at the time, which is mostly true that because of a BFC resolution or ordinance or whatever you call them, we decided that no one should be able to send messages to the entire faculty just going on their e–mail because they were saying I need to rent my house, does anyone know a person I can hire to cook for us, and it was getting out of hand, so we did it. It turns out there is a way that I can do this if it – if it's typical BFC business just go right through Craig's office and he okays it, but that's why it went through Tom. Tom had nothing to do with the content. It was not administratively determined. So you can rest easy.

GIERYN: I thought it was terrific, Jim!

KARTY: Did that go on to non-tenure-track or specialized, or whatever we're calling ourselves now, faculty?

ROBEL: Hmm?

KARTY: Because I did not get that list. That – that – that communication, I did not get that communication as non-tenure-track faculty.

SHERMAN: Tom?

GIERYN: I will check. The instructions were to send it to all academic appointees, so you should have gotten it.

KARTY: Maybe spam folder got it accidently.

TERRY: Could you also check on emeriti? I don't think I got this.

SHERMAN: Well, there may have been a glitch, but it was intended – trust me – to go to every academic appointee, so I apologize. The other thing I would say about it is – God, this is a tough group the – the Bloomington faculty academic appointees. I thought it was tough when I served as city council member because as you could imagine you get a lot of criticism. No matter how you voted you always irritated half the people. Somehow I did not – I wasn't aware that faculty were just as tough a group as Bloomington citizens at large, though. I got quite a number of e-mails. Some of them critical and rightly so about the way I said things or what I said, some of them with good suggestions. And the – the one that for whatever reason got to me is – I was criticized for using the term "y'all." Now I – I was born and raised in Boston. I never heard or used a "y'all" for, you know, all my life and when I moved to Bloomington there were no "y'all"s but in the last several years my wife and I spent quite a bit of time in Charleston, South Carolina and you get a lot of "y'alls,"and I realized for me this was a great term. We don't have any other term to capture everyone with one word in a way that's inclusive, and I didn't think it was pejorative in any way, so if I'm wrong, I apologize. But you're a tough group.

The – the other thing I would say is that I had the occasion, the good fortune, over the last few weeks to ascend – to attend many different retreats and meetings, and it's very good because it was all informative, and you will hear about a lot of these things throughout the year. There were budget issues discussed, constraints on budget. I learned more than I ever knew – I knew very little before, and learned to appreciate RCM for the first time. There was a great presentation by Maynard Thompson, heard a little bit about the beginnings of the bicentennial campaign as you probably know that 2020 will be the bicentennial of IU and as you can imagine there is a big campaign going on, and Dan Smith from the IU Foundation will be here later in the

semester to – to talk about it. I got to meet and hear from Randy Tobias who's the new chair of the Board of Trustees, and this was at the president's retreat. I believe the only "faculty" faculty members there were myself and Marianne Wokeck, who's the IUPUI president of their Faculty Council, so anything Randy said wasn't designed to appease or please faculty, but I – I was especially pleased that he talked about faculty role and his belief in its significance and his belief that we have to do everything we can to protect our liberal arts degree and the way it is now. And I thought everything he said was consistent with what I think y'all [laughter] would like. I hope that – that the committees – the standing committees of the BFC – are filled and – and chaired adequately very quickly because there is business I know for some of these committees which are not yet peopled. So I think Craig will be working on that and I think as you know the expectation is that every BFC member serves on at least one standing committee. So if you don't have one yet, find one you like and serve on it. So I hope the business can get done quickly because of that. I think that's all I need to say for now, and I'll turn it over to Lauren.

AGENDA ITEMS 4 and 5: PRESIDING OFFICER'S REPORT AND QUESTION/COMMENT PERIOD

ROBEL: Thank you so much. Well, I want to welcome everyone back and send particular welcome and thanks for new members of the BFC. It's great to have you here with us. It's wonderful to – that – that you are – that you have decided to give this service to the – to the campus. Thank you. It's – it's important service and I really appreciate Jim Sherman's e-mail that did go out to the faculty because it allowed, I think, our colleagues to be able to look and – and see what's the direction of the BFC this year. What – what is the Executive Committee which sets the agenda where's – where is it inclining? What kinds of issues are being addressed by the various committees? And to do so in a way that allows people to be involved before things get to the point of a vote on the floor of the BFC, that's particularly helpful I think. I appreciate very much that so many of you made time for the retreat that we did with the BFC. That was a – an innovation that I think really worked well, and I'm –

SHERMAN: It was Lauren's idea, so…

ROBEL: Well, it's – I – I –

SHERMAN: So thank her.

ROBEL: I can remember when I came into the provost's position I – sitting down with the vice – actually the vice provost for undergraduate education, and if you'll remember that – that was – that was a wonderful colleague who is now out in the east but had a very pronounced British accent, and the undergraduate education office is one that is awash in acronyms, and I just remember feeling completely disoriented by this, you know, this sea of acronyms. And I thought it might be helpful for the new members of the BFC to get some sense of who the

people are you will be seeing during the course of the year, and what the issues are that they're thinking about as they go into the year, and then we can – we can work to assure that you are seeing the people you need to see and involved in the issues you need to be involved in as early as possible. I want to take a moment now that he's arrived to introduce Andy Braden and maybe ask you, Andy, if you would say a word about the agenda for IUSA this semester, and then I am going to do the same with Brady in just a second.

BRADEN: Yeah, absolutely. So I am Andy Braden. I am the President of IUSA for the coming year. I am a junior studying policy analysis in SPEA, and I'm originally from Elkhart, Indiana. I'm also going to let Michelle introduce herself.

CHUNG: Hi, I am Michelle Chung, I am the Vice President of IUSA –

ROBEL: Oh, I am sorry Michelle. I didn't see you over there. You were out of my view.

CHUNG: I'm going to – or I am a senior majoring in neuroscience.

BRADEN: Yeah, so just to touch briefly on a couple of areas that we're looking to address this year. We're looking forward to working with all of you and we – we're also always grateful for the opportunity to – to sit in on these meetings and participate. First, we're very interested in cross-cultural connections and exposure – so diversity, specifically in international and domestic student experience here. As student government, we feel it's – it's very important for us to ensure that all students are experiencing – having a common experience at Indiana University and that we're – we're doing our job at ensuring that that's happening. So we're looking at a couple of different programs right now in terms of maybe different partnership models of how we can have more connections between students because right now there's a gap there, and we can do a better job to address that. We're also interested in reviewing our mental health practices on campus. I think that, especially in connection with the national interest in sexual assaults on college campuses it's very important and we're – we're going to be looking at how we're doing things at IU and if there's ways we can improve upon that. We are also interested in reviewing our welcome week practices. As many of you know there's always a high number of risky incidents that occur at that time. So in terms of student engagement and student safety and campus safety we believe we can do a better job in that area as well. And then just – I'll speak briefly in terms of – internally we are also restructuring a bit and we're trying to focus more on undergraduate research, so if you all ever have issues or problems and – and I am sure you guys don't have anything like that or anything that we can help with. If you all ever have any areas that you would be interested in us looking at from a student perspective we invite you to come to us because we are focusing this year on more of a formal undergraduate research approach to the way we do things, so student ideas and – and things like that.

ROBEL: And I – I have to just give Andy a shout out for the incredible speech that he made at our freshman induction ceremony. It was just really wonderful and hit every – hit everything that I could never say because I am not the cool older brother, I'm the mom. So issues having to do with student safety and – that were just really – it was really well done. Really well done. Thank you so much and welcome, Michelle. And I'd – I'd like to introduce to you, those of you who don't know him, Brady Harman and Justin Vasel who's right next to him, and maybe, Brady you could speak a little bit about GPSO's agenda this year.

HARMAN: Hi, my name's Brady Harman. I'm a fourth year JD/MPA student, so it's my last year at IU – finally. My second term as GPSO president. I am also from Elkhart, Indiana like Andy so I don't know how that happened. But this year GPSO is focusing on things that I think compliment what IUSA is focusing on. As far as – one of our big focuses is going to be community identity – three parts to that, one being inclusiveness, building on this – one of our diversity resolutions we passed last semester on training for diversity. Also respect, building that culture of care and making sure [comment indistinct] undergraduate and graduate student needs, because we are stressed out [comment indistinct], and then finally that Hoosier identity. We've noticed that all of our graduate students come in, we identify only with our department not with the university, and so that causes a lot of problems for us and it makes us miss out on a lot of opportunities that IU offers as a whole so we're working on Hoosier identity, and then finally on resource access and awareness. There are a lot of general resources on campus that are used by graduate students if they know about them. The problem is that they do not know about them or they aren't centralized for us to know about them [comment indistinct]. So those are going to be our two big focuses this year. Thank you.

ROBEL: There will be an announcement, I think probably later this week, of a major research initiative on mental illness and stigma on campus and I – I know that the researchers who are working on that are working very closely with both the dean of student's office and the student government groups to try to assure that we're – we're getting information into the project that can really help us with creating a tool box for students on – on stigma to allow students to get the kind of help they need. Well because we had that retreat I don't – I don't feel that I have a lot of new things to say to the BFC and we have some important things to do today, and so if – if I might we have a – I think a question and comment period. Were any questions submitted ahead of time, Craig? Questions from the floor? Well I'd like to move ahead if I could and just get us into the revisions to the bylaws on conflicts of interest and for that is Eric here? Great. Thank you so much.

AGENDA ITEM 6: REVISIONS TO THE BYLAWS OF THE BLOOMINGTON CAMPUS CONFLICTS OF INTEREST COMMITTEE

SWANK: Good afternoon, I'm Eric Swank. I'm in the office of research compliance, and to help to put this document that's in front of the Council today into context just a couple of comments, and then I'll sort of highlight the changes and I'm happy to take any questions. So, federal regulations require that the university have a framework for obtaining information about outside financial interests for individuals that are conducting federally funded research. We also have to have a structure to evaluate whether that outside interest could create a conflict of interest. So a couple of years ago you may recall the federal regulations changed and the university had to go through the process of updating its policy on financial conflicts of interest in research, and that came through Faculty Council and the Board of Trustees about two years ago. So that's the substantive piece that we are required to adhere to. The document that's in front of the BFC today is a set of bylaws for the Bloomington Faculty Council, so it's sort of the process for how we use the conflict of interest committee on the Bloomington campus. This document has not been changed since 2002 and it's, you know, overdue for catch ups to make our policy match what our practice has been for the last several years, and I was very appreciative of Dr. Sherman's comments about Al Ruesink. Our current chair is unable to be here, Dr. Rowan Candy from the School of Optometry, but we benefited greatly from Dr. Ruesink serving two terms immediately prior to Rowan's tenure as chair, and so many of the changes in process that I am going to talk about and that we're making to this document are things that were reflected under Dr. Ruesink's leadership, so...

Just very briefly at a high level one of the things that we would like to change would be a greater use of the chair and the subcommittee having the ability to dispense with the simple issues, so we have kind of developed case law and a precedent for how to handle the more routine outside financial interests without needing to involve the full committee on every decision so, again, the practice that's developed is if we see something like what the committee's already decided in the past, the chair or a subcommittee could deal with those issues. That's one of the changes we'd like to make. A couple of major sections are being deleted because, again, they just never materialize. They may have been anticipated in 2002, but it never happened. So first of all there are some references throughout the document to individual units or individual schools that might develop their own processes and their own management standards. That really has never materialized, again, the – the leadership in the schools has typically looked to the – the campus-wide committee to deal with conflicts of interest and manage them at that level, so we suggest deleting that. In addition, there's a larger section at the end about review of sponsored research agreements that the COI committee may have – play a role in looking at those. Again, that never really has materialized. Typically, if there's a sponsored research agreement that might have an issue with somebody's financial interest we handle it just through the normal COI outside financial interest review process. I know – I think right now there's a listing of four BFC members. I think over the last several years sometimes we've had four, sometimes we've only had three. It's not always been

the BFC's ability to give us four full members so we'd suggest dropping the – the level to three. School of Public Health was formed, obviously, in the intervening twelve years, and we'd suggest adding the associate dean for research from the School of Public Health as well as from SPEA because, again, with the dozen or so years of experience those are some schools that have issues come before the committee. We want to make sure that they're represented. Probably most importantly, one of our suggested changes would be to give the COI committee the ability to actually change these bylaws moving forward. Again, I am not sure that this is something that needs to come to the BFC every time we have a change in process, so I would suggest that – that be considered by the full BFC. And then throughout the rest of the document there are a number of updates. RUGS doesn't exist anymore, vice president for research is the current title, our office is the office of research compliance. So at a high level those are the changes and I'd be happy to take questions, suggestions or comments if anybody has any.

ROBEL: Alright, discussion? Herb?

TERRY: Yeah, we ended up too long with this, but I do have some questions. One's just an observation. Sometimes when – when you accept changes as made [comment indistinct] on page two that the numbers in the top paragraphs were updated. [comments indistinct] In terms of substantive questions, on the next page under IV., part "(e)" which assistant vice president for research? I assume that would be the Bloomington vice provost for research, which also [comments indistinct] but I don't know that. [comment indistinct]Which one?

SWANK: Yeah so, typically the idea there has been to have the one – so Steve Martin who is over the office that handles grants and contracts to get his perspective on an issue that comes before the committee and how it may impact a grant or contract, so I believe that is his correct title. Or maybe he's now the assistant vice president for research administration; I think that's his current title. Yeah?

TERRY: Again, I said when I read that my assumption was that would be the Bloomington vice provost for research giving us a sort of an administrative Bloomington person administrator. I think it's an important distinction as to whether – what you mean there.

SWANK: Mmhmm.

TERRY: What do you want us to do?

SWANK: So I think what the intent was the assistant vice president for research administration, so that's Steve Martin's current position title.

TERRY: Okay, the Council can decide whether they like that or not, at least it clarifies it. The list of schools in "(b)" strikes me as odd. It doesn't include our two newest schools – the Media School and the School of Global and International Studies, and it doesn't include Maurer.

SWANK: Mmhmm.

TERRY: Why? Why these schools and not the others?

SWANK: I think historically that is a representation of the schools that have faculty who have a lot of outside financial interests or are starting up businesses because, again, another point of interface between the Conflict of Interest Committee are startups or faculty who are bringing something out of the lab into the commercial space and so that list – there's nothing magic about it – but I think just from experience are typically the schools that have had the most outside consulting by faculty or startups and commercialization of technology.

TERRY: So it is your intent to leave those schools that I just mentioned out of here?

SWANK: Yeah.

TERRY: I think there's an important policy issue and it's in the way. Are the – is the Media School and School of Global and International Studies really a school –

SWANK: Mmhmm.

TERRY: – or is it a school whose interests will be represented by the College of Arts and Sciences, and again I do not know what the Council may choose to do about that.

SWANK: Well, there are certainly other schools on the Bloomington campus that aren't listed here – Jacobs School of Music and things like that. So again the – yeah, the intent was not to cover every school on the campus but rather target those that either have start up or commercialization going on.

TERRY: Okay. I have a question about Article IV part (c). Again, you mean, "jointly appointed by the BFC Nominating [sic] Committee," and Vice President Jose?

SWANK: That is typically how the chair's been appointed, yeah.

TERRY: If that's what we mean, that's fine. I guess this is just comment based on Jim's observation. This is not going to be in many ways a faculty, "faculty committee." Under the voting provisions, the majority of the members who will vote, the administrative faculty is coming from the deans [comments indistinct] if that's the way the Council wants it, that's fine. I will just make that observation, otherwise, I'm very pleased to see this come forward. It's another example of a document sitting around [comment indistinct].

ROBEL: Great. Other questions or comments about this?

SWANSON: Very small, so this is supposed to [comment indistinct]

UNKNOWN MALE SPEAKER: Yeah.

SWANK: Thanks.

KARTY: Do you have any idea [indistinct comment] was stricken on page one.

SWANK: Yeah, that would be –

KARTY: I ask because with the advent of online education and opportunities I imagine this could become an issue as time goes on.

SWANK: That's a good question. Again, this document goes back to a time when the underlying substantive rules combined both conflict of commitment and research conflicts of interest. Since 2002 the conflict of commitment's been pulled out and I would think that's typically where a teaching issue would be handled, or – and again you know – the primary purpose of this committee is to meet the federal regulations which are really targeted only on potential conflicts of interests in research.

ROBEL: Herb?

TERRY: Actually, I have one little suggestion. I think giving the body the ability to update and amend its own bylaws [comment indistinct] I think it would be useful if any amendments were required to be reported to the Executive Committee of the BFC so that [comment indistinct]

SWANK: Sure, sure.

ROBEL: Other discussion? This – this does I believe require a motion is there – oh, okay! Hi, Cassidy.

SUGIMOTO: I just wanted [comment indistinct] considering your tweak on IV.B if you're updating then it should be the School of Informatics and Computing, and it should have a comma after it before the School of Optometry.

ROBEL: Okay. Can I get a motion for – for this? Yes?

TERRY: Yes.

ROBEL: A second, please?

LEVINSON: [comment indistinct] if there's still time for it?

ROBEL: Sure, of course there is Bradley.

LEVINSON: I just – I just sort of want to second, I guess, Herb's – I do not know if we can call it a concern about the list of schools whose deans of research that we're going to be inviting here. It seems as though the precedent set by the number of cases that have come forth from schools before ought not lead us to leave out Music or Law or – quite aside from the question of – of – the jurisdictional question of whether the new schools under the College will have their own deans of research or will be represented by College. But I feel a little bit uncomfortable the fact that there is sort of somewhat arbitrarily or based on prior precedent, a couple of schools are being left out, but it also raises the question about do we need all that many associate deans of research on this committee, and in light of the fact that you're talking about you need a quorum of a simple majority and these folks are busy, isn't that creating a problem? So I would almost suggest something whereby you say three or four associate deans of research of all the schools, elected or appointed any given year serve on this committee and that it kind of rotates around across – across the schools. That would be my suggestion. But I don't – I do not want to send this all the way – I do not necessarily think this needs to go all the way back to committee, but that would be my – my friendly amendment.

ROBEL: We're keeping the Parliamentarian busy already. He's cracking open that pristine copy of Robert's Rules of Order.

SANDERS: It's coming. It's coming as you can see.

ROBEL: So are you making that – are you suggesting that as an amendment?

LEVINSON: It's a pretty significant amendment. I realize that, so… And I'm trying to see about whether there's any nodding heads, whether or not it's worth it for me to float it as an amendment, but yeah I would say – why don't we say that membership shall consist of four of the associate deans for research from the following schools. The only question in my mind is whether we include the two new schools under the College or whether we simply add Jacobs and – and Maurer School of Law to that list and so then on a rotating basis you would have –

ROBEL: – I do want to be sure. I – I don't want to rush this through. So I think if the Council thinks it needs significant work we should probably send it back for discussion because we have a lot of people lined up against that back wall to talk about sexual assault which is a pretty important topic, too. So let me – let me take two more –

HASS: I just wanted to [comment indistinct] note about Jacobs which is A) we only lose money, we never bring in money [Laughter] and B) we don't have an associate dean for research.

SWANK: Okay.

ROBEL: Yep?

TRIX: [comment indistinct] and also one thing I found that communication really helps with these things. So it meets only once and these guys have to get together once I should think they can. And it reminds them of the federal regulations. So on that basis I think its [comment indistinct]. If they had to meet more than once a year I think your point is really well taken.

ROBEL: So are you withdrawing your friendly amendment?

LEVINSON: Anyone here from Maurer School of Law that has no qualms about not being represented on this committee?

ROBEL: We have several representatives of the Maurer School. So it's been – we have a motion that's been seconded and –

TERRY: I just have a question. We could take this up again later.

ROBEL: Yeah, we can.

TERRY: If we decide that we want to give Maurer a subsequent year we would know they had changes to include it and we [comment indistinct] I'm happy with it.

ROBEL: I will say that Maurer's research, federally funded research of the type that's covered by this, is also pretty small.

SHERMAN: Really?

ROBEL: It is really –

TERRY: [comment indistinct] more research here that involves faculty from Maurer working with other schools. This will could come about but we don't have to solve it today.

ROBEL: Okay. Alright. Any other discussion? Are we ready for a vote? All in favor? [Aye]. Opposed [Silence] Thank you.

SWANK: Thanks.

BAILEY: Let me ask [comment indistinct] abstentions?

AGENDA ITEM 7: SEXUAL ASSAULT PREVENTION INITIATIVE

ROBEL: Oh, would you like to abstain?

BAILEY: Yeah.

ROBEL: Will you note that? Okay. Anyone else? [no response] Okay. While I would like to invite Jackie Simmons, our Vice President of General Counsel, Emily Springston, Associate General Counsel, and Pete Goldsmith, Dean of Students, and Rachel Martinez from the Culture of Care, and while they're coming forward, if any – if I have somebody's keys up here. At some point you'll figure it out, but just – [Laughter]

SHERMAN: I found them near the popcorn, so somebody left them...

ROBEL: And as our – as our folks are coming forward – they're up here? [comment indistinct] it'd be easy.

TERRY: [comment indistinct]

ROBEL: Over the summer we, the campus and actually the entire university has been working quite a bit on assuring that our – our students understand how to access help on sexual assault issues and also that we have reviewed our programs that have to do with the kinds of information we're giving students generally about sexual assault. The – that effort has been lead really by General Counsel and by Emily Springston in the Counsel's office and in cooperation with the Dean of Students' Office and Council of Care so I – I wanted all of you to be aware of what's going on. You've all seen, I think, these – these pieces of paper on doors and in the restrooms. You've probably also received the employees' guide to reporting sexual misconduct, but I thought it was important that you have an opportunity to hear the – hear about this effort, the scope of this effort and ask the questions that you think are appropriate. So with that I'll turn it over to Jackie. Thank you for making time for this.

SIMMONS: Sure. Now we're happy to be here today so we can explain to you a little bit more about where our efforts are directed right now. As you know, Indiana University was named to the dreaded list of fifty-five universities. It was mistakenly reported that we were under investigation by the Department of Education when in fact the Department of Education was in the process of doing a routine compliance review for us when the press release was about to be issued announcing who all was under investigation. We had specifically asked, but did not prevail upon the Department of Education, to come up with two distinct lists – the list of those who were truly being investigated as a result of complaints or as a result of somebody raising an issue with the Department of Education versus those of us which were in the category of just being in a compliance review. They declined to do that. They declined to make that distinction. So unfortunately we've been tarred if you will by that, sort of, bad reputational factor, which we were – we do not believe we deserved. Needless to say, though, that while we are under this compliance review, we are taking it extremely seriously about any changes that need to be made to any of our programs to try to first of all, prevent sexual assaults from happening. And that's really where Rachel's group, the Culture of Care – and she's been a real leader and driver

in the student efforts to make sure that students do not just be inactive bystanders or passive bystanders, but actually try to participate and prevent sexual assaults from occurring. The president has also asked Emily Springston to lead a coordinated effort among all of the Student Affairs offices on all campuses as well as all of the Title IX folks and – and others who are interested, like our student leaders, to try to come up with policies and procedures across all of our campuses that help to focus our students on the prevention aspect and also to provide the needed social services if something does happen to a student on one of our campuses. And then finally, the president has also announced what I refer to as the 30,000 foot level committee and that is the Committee on Student Welfare Council, which I chair, and which contains representatives from some of the regional campuses and it's a – a smaller group that is really designed to help the group that Emily leads get the resources they need and to get the priority that they need on some of these issues.

Now, we have found over the past eight or nine months of working with the Department of Education on this compliance review that this is a constantly changing goal for us, in that they are constantly issuing new guidance. They are constantly giving us new direction on what we need to be doing or what we should not be doing, and they have not gone through the ordinary rule making process to get some of their opinions and their thoughts on this into action at all of the campuses. At least one of our Big 10 colleague schools is challenging that procedure right now and saying, look, if you want to make law you have to at least go through rule making procedures. We have decided to take a little bit less aggressive approach with the Department of Education, but instead to see if what they're requesting is something that we think is appropriate that we can live with, we'll live with that, and we'll only pick fights on those things that we think are extremely important to Indiana University and its students. One thing that I thought was important for you all to know is that this initiative by the Department of Education which is, by the way, spearheaded by the White House itself, is something that now has congressional attention. We are seeing – there have been several bills already introduced into Congress. Senator Claire McCaskill did a survey of over 400 universities this – over the late spring and early summer and has released her findings, and we're going to see the law changing fairly rapidly in this area. It does currently require changes in some of the policies and procedures that we use to investigate first of all any claims of sexual assault or sexual harassment. The Department of Education has decided that Title IX encompasses sexual harassment as well as sexual assault, and it will require some changes to be made in our policies, especially with regard to how we investigate, and all the way up to – through the findings section, if you will, if there is an allegation as between a student and a faculty member, for instance. That does not mean that my office or anybody in administration wants to take away from faculty members your rights of governance. That's not what we want to do at all. We are only doing what we are absolutely dictated to do, and we will leave this conversation open with you at each time if there is a change in the law that requires us to make any changes.

Right now we believe what we can do, and as I say it's constantly changing, is that we can change our policies so that if there is an allegation of sexual misconduct by a faculty member that the investigation all the way through the findings, not the penalty or sanction, but the findings, would need to be procedures that are uniform, university-wide, and comply with what the Department of Education has dictated to us. When it comes to what the sanction is, the appropriate penalty, if you will, for a faculty member that is found to have sexually mis – had sexual misconduct with a student that would be something we believe we can still leave in your hands to decide the penalty phase. So, that was one of the main issues we thought you would be interested in today, but I also want to leave you plenty of time to hear from Rachel about the Culture of Care and to respond to questions that you may have about this. Emily, before Rachel starts, do you want to add anything to those opening remarks?

SPRINGSTON: No, I think that was very helpful and comprehensive and I think Jim shared, or we already provided, materials to everyone that speak to kind of the comprehensive or an attempt at a start at some good, comprehensive training for employees to understand some nuances to training that's been had in the past, some clarity about the role of faculty as responsible employees, that if they learn of an incident the – the main – the main training message is pick up the phone and call Title IX or Deputy Title IX coordinator and we take it from there. The nuances in responding to students, to trying to help them or figure it out, other than getting them to know that there are resources on our campus that can help them and there are people who are – will be trained to help them, and who are trained to help them is kind of the key message, and the other key piece is that if a student is seeking confidential interaction, that that can't be had with a faculty member, it must be had with those who are confidential employees on our campus and that is our counseling center, sexual assault crisis center, and our Student Advocates Office has designated advocates to help students who have experienced sexual misconduct.

KARTY: That means – to clarify – that means a faculty member can be compelled to testify as it were. When you say you can't have confidential discussion – [comment indistinct] can you clarify that legalese?

SPRINGSTON: Well this – this gets to the question of if a student comes to you and you learn of a sexual misconduct. So the idea is that as a responsible employee for the university, this is the language that OCR likes – likes to use, this idea of a responsible employee, your reporting allegation within the university to get it to the right folks. And what it really means is the university's Title IX obligations to respond promptly and fairly and to investigate is triggered by that knowledge. So when the university knows, that equals when a responsible employee knows or should know, so then it becomes the university's legal obligation then to investigate and respond according to the ways that Title IX requires.

SIMMONS: Maybe a little bit more explanation of what you mean by a "confidential communication," though.

SPRINGSTON: Yeah, this is some confusing language that I think OCR uses because there's a difference between "confidential" versus "anonymous." So if they want to be anonymous, they don't want the university to investigate, they don't want us to know who – who did – they don't want to name someone, but they want help. They just want to talk. They want counseling. That's where we get them to people who can keep them anonymous, i.e. the university doesn't know of them, right? So that the investigation is not – the obligation to investigate is then not triggered. We will maintain people's confidentiality, their privacy, through our system. We only share their information with those who need to know. So, that's a nuance, and I think it's a little sloppy, but OCR uses the terms "confidential employees" and those are our counselors and those we've specifically identified, like in our Student Advocates Office, who they can speak to privately, and they do not – those folks are not required to report that information to Title IX.

TERRY: I have a sort of related question, and it's real. I encountered this when I ran the Global Village Living-Learning Center –

UNKNOWN MALE SPEAKER: Herb, could you speak up a little?

TERRY: Okay. A real question based on my experience running Global Village Living-Learning Center, a student comes to you, discloses a little bit about something that the student's concerned about, and then says I want to deal with somebody confidentially. Do we have to report the contact even though we discovered what they really wanted to do was talk to one of these confidential employees?

SPRINGSTON: Exactly, and that's an excellent question and I do think OCR has provided some helpful acknowledgement of that situation. So you still have an obligation to report, but I think the important message for the student is, I'm only getting this to this one other individual. That person's trained to know how to help you and to respond. Then – but the important piece is that you then convey that but also say this person doesn't want us to do anything. That – we then will weigh their interest for confidentiality for us not to do anything further, i.e. investigate and pursue it versus whether there's an overarching threat to their safety or the community's safety that would compel us to investigate despite that desire. So, for the most part – and OCR has been helpful here – they give a nod to following the desires of the person who has brought the information to you, for the most part, unless it's – the facts demonstrate we really have to pursue this despite their desires.

SIMMONS: And for those of you who don't live in our world, OCR means the Office of Civil Rights within the Department of Education, which is the office responsible for this area.

ROBEL: Thank you.

BAILEY: I – I want to clarify something. So – because the document that we have, it says do not promise confidentiality, and I suspect that this is what you're talking about. But we can promise privacy?

SPRINGSTON: Yes.

SIMMONS: Yes.

BAILEY: [comment indistinct] which is not the same. I just want to make sure that we're not conflating privacy and confidentiality because they might get a little confused. So, we cannot promise confidentiality because we are required to report it to the appropriate person, but we can guarantee and promise, as much as we can, privacy.

SPRINGSTON: That is so well said, thank you. Thank you for clarifying that, and that – that obligation and that ability to promise privacy there forth rests with all of us, right? So that – and I think that's one of the slight nuances is – is they've identified these specific individuals on campus that you're to report to as opposed to sharing with this person who's going to get it to that person, who's going to get it to that person. So, for all of us doing our best to keep that person's name very private.

ROBEL: Let me frame this before – before, because I can see lots of questions popping up. We – the primary, number one thing that this university needs to be about is preventing sexual assault and helping people who have suffered sexual assault, and the folks who are here today have been asked specifically by the Executive Committee to address faculty responsibilities, but I don't want us to lose sight of that. And we'll get to it again when we – I – I think in just a minute. Mmhmm?

DOCHERTY: And this is more of a procedural question. I appreciate everything that you all have said. How is this information going to be disseminated to the rest of our faculty? So as a BFC representative are we supposed to disseminate it to each of our schools or is this something that's going to come through your office?

SPRINGSTON: It's a – I would say it's a team effort. Any help that you can give to disseminate this, to share this – the employee guide was written so it is something people could disseminate and use consistently at your department meetings by chairs. We've met – Tom asked us to speak to the chairs and dean's meetings so that – that way. Julie Knost's office spends a lot of time getting in front of supervisors and others for that sort of training, but that's one thing is a priority this year is seeing where we can reach even farther. So if there are suggestions from

Faculty Council that would be welcome this year as we are trying to be effective to get it more widely disseminated.

DOCHERTY: Is it appropriate to take this PowerPoint and give it to our – ?

SIMMONS: Yes.

SPRINGSTON: Yes.

SIMMONS: We have actually – we're in the process of preparing an e-training module. We have been told that faculty members are not exactly enamored of e-training modules, but it is a very easy and short way for people to learn what to do in the circumstance when a student does come to you and say, you know, my boyfriend has sexually assaulted me or somebody who lives down the hall from me or whatever. So, to the extent that you can encourage your faculty members when the e-training module goes out there, to take the time to do it. I think it is an extremely – if there was only one module I could get you all to take the time to take this year, this year I would say this would be my top priority for you. Seriously.

ROBEL: Sharing that stop sexual violence website is – is another very helpful, very quick thing to do. I think Sharlene was next and then I think Laura was next and I'll come back. Thank you.

NEWMAN: I have a question that's been really on my mind for a while. So, we're supposed to report to IU. So if someone comes to me and they have been sexually assaulted. This is a criminal act.

SIMMONS: Mmhmm.

NEWMAN: Alright. So I don't go to the police, I come to you?

SIMMONS: Mmhmm. Well, it's – it doesn't mean that they won't go to the police as well, right? But we have the immediate counseling and the services available to the student, too, immediately. Where the police may be focused more on gathering evidence and may not be as good at the, what I'll describe as the softer side that's really important to the person who has been the victim of sexual assault. So don't think that because you are reporting it to IU that we will not communicate this to the police or – what we are doing is talking to counseling that victim to urge them to actually talk to the police then so that we can gather the right kinds of evidence. So it's not an either/or situation at all.

ROBEL: You will notice the signs that are up for students say call the police.

SIMMONS: Yeah.

SPRINGSTON: And I think that's the key, and you kind of hit on it, is that if that person is willing, by all means help them. It's not – but it's – the focus is on what is their desire in the moment? Some people may not be ready, but I think you're exactly right. There are – the – the – the range of factual circumstances is so varied, but there will be those where it is imperative at that moment let's call the police. Can I help you do that? Let's do that together. Are you okay with us doing that?

NEWMAN: And it's okay to do that first before calling you?

SPRINGSTON: Oh, yes. Yes, please. Yes.

ROBEL: Although I – I will say we have such incredibly good people in Counseling and Psychological Services and the – the people who – I – I think my – in my own view, you know, use your judgment, but it's always a good idea to try to get people who are in the situation we've been talking about to the psychological and – to the student services they need. Job one. And then those people are trained to go through that process with – with students to help them make those – exactly those decisions, so... Yeah, Laura?

MCCLOSKEY: Yes, I have a question about how the information comes to the Title IX counselor. So, say, information that a faculty member has committed [comment indistinct] the colleague thought that they heard a [comment indistinct] and so they call you. And so what happens to that information? Usually, in most departments – the histories are – is that department chairs kind of handle, you know, these kinds of issues. Often that's the way it is, whether that's good or bad, but so I'm just wondering what's going to happen to that information once it comes to your office. And the same, of course, with more egregious things like sexual assault [comments indistinct] like classic sexual harassment.

SPRINGSTON: Yeah, and I think that's a little going to get – try to spell that out well in the procedures that would apply here. Some of that, you're right, it's going to involve right back to people, a reach out to the person, complainant, say are you – are you looking to file a formal complaint? Where it comes to sexual harassment we have more leeway to explore other alternatives with them. When it comes to sexual violence it's not appropriate to kind of suggest informal mediation, but that may be appropriate, seeing whether they are asking to file a formal complaint, that we then do proceed because, again, we're looking to [comment indistinct] them. But, also, when it's an employee matter some discretion if this is a concern or a repeat or something that we may investigate regardless of whether – once it's been brought to our attention, but it would certainly involve those people who would know.

MCCLOSKEY: Right. So once you've investigated as employer, you know, because [comments indistinct] say you've discovered confirmed patterns, so would a senior [comments indistinct] process of [comments indistinct]

SPRINGSTON: I think that goes a little bit to what I was saying before is that, in an employee situation it may not require a formal complaint from the student if there is something brought to the attention and they might not feel comfortable filing a formal complaint – right? – for fear of retaliation –

MCCLOSKEY: Or if you were a graduate [comment indistinct].

SPRINGSTON: Or that situation, yeah. So there will be nuances, and we have the ability, and need to keep that ability to investigate something absent a formal complainant.

MCCLOSKEY: There are some faculty members by students.

SPRINGSTON: Exactly.

SIMMONS: Right.

MCCLOSKEY: So they have to [comment indistinct] so I don't understand how it works in the normal process –

SIMMONS: Well, an investigation would never conclude without talking to the person who allegedly caused the sexual harassment, right? That's – the nature of the investigation has to include an interview with that person as well.

ROBEL: I think in line I had Frances and then Basu and then Steve.

TRIX: I've gone – [comment indistinct] multiple times. If there really is concern about the students [comment indistinct] why is there so little – why are there so few references to actual people and offices on campus? The only thing is visit "h" – it stops at "sexualviolence." I would like the name of the offices. I would like specifics there.

SIMMONS: Okay.

TRIX: Just the Title IX makes it feel like I'm just [comments indistinct]

SIMMONS: Okay, that's a good point. That's a good point.

SPRINGSTON: Yeah.

TRIX: [comment indistinct] a class? I want to know those things. I want outline sheets.

SIMMONS: Yeah, that's a good point – that's a good point.

SPRINGSTON: Yeah.

SIMMONS: Mmhmm.

TRIX: Taking off the – there – there were three freshmen last year in one of my departments that came to some of our young, female faculty [comment indistinct] and none of those freshmen returned to IU this year, so this is a very real situation. And a young female faculty came to me and we went through these things and we did the very best we could but none of these people are now back at IU so I feel terrible about this.

SIMMONS: Mmhmm. That's a good point. That's a good point.

TRIX: But they did not return. We did the very best we could. But I don't want just an http I want to know what these offices are.

SIMMONS: Mmhmm, okay.

SPRINGSTON: So there are brochures and – and that's a great point. So we have brochures available for them that sit in specific offices so whether we need to –

TRIX: I want to have this information sheet. If you're serious about the students, I want to know the names of those offices. I don't want to know –

SIMMONS: We can add it.

TRIX: – you tell me they exist – I want their – names of the offices on this major information sheet.

SIMMONS: And the phone numbers and – yeah, we can do that. Mmhmm.

SPRINGSTON: Yeah. Yeah.

TRIX: And to me none of that has gotten on this.

SIMMONS: Okay, we can do that.

SPRINGSTON: Yeah.

SIMMONS: Yeah, that's a good suggestion.

TRIX: It – it's like, yeah, they're all there. But…

ROBEL: Thanks. Okay, Basu?

BASU: May I suggest instead of saying do not promise confidentiality, you write do not promise absolute confidentiality?

SPRINGSTON: That's a good point.

BASU: The reason is this. For many years our department did not have a woman faculty member. For many years I was the only non-white, male faculty member. Many students came to see me, mostly women who thought they were wronged.

SIMMONS: Mmhmm.

BASU: I – if I – if I could ease them into reporting that – reporting whatever they were trying to report, it would be wonderful.

SIMMONS: Mmhmm.

BASU: My feeling is that if [comment indistinct] confidentiality, like literally [comment indistinct] I cannot guarantee you confidentiality.

SIMMONS: That's a good point, yeah. Mmhmm.

BASU: [comments indistinct]

SIMMONS: I think that we wrote it too legalistically as to what the confidentiality meant in our rules, and so I think that's a – a very good point about plain English versus legal – legalese. Yes?

BASU: [comment indistinct] somebody to go and report to the proper authorities –

SIMMONS: Yes.

BASU: – okay? There is a confidence between the two.

SIMMONS: Yep, that's a good point.

ROBEL: Very human. We are a very human enterprise.

SANDERS: I'm checking, Emily, is the designation of all faculty AI's, others in instruction role, as responsible employees with a duty to inform – is that something new or is that actually something that has been in place?

SIMMONS: No, it's new.

SPRINGSTON: And I'd – I'd say that is new. That is coming from Office of Civil Rights guidance, pretty clear guidance, yeah.

SANDERS: I guess in light of that, I am a little concerned about – a couple of people raised the question of how this will be disseminated. Literally, as we've been sitting here I received a notice from the associate dean of my school passing along the primer and some other things, with a sort of, here's some information I've been asked to share with you. Note, something that a lot of people will likely delete. I mean there – there's a legal duty, a new legal duty that has

been created on all of our parts, if this were court, if we don't do that the university faces potential difficult complications because the university is deemed to be on notice when we are put on notice. What are the consequences to a faculty member who doesn't follow this legal duty? What room is there for a faculty member to say no one told me I had this legal duty? So I guess it underscores to me the thinking that needs to go into exactly how – how faculty members and AI's and others are going to be informed of this new obligation that they have that they can't get out of. It is a legal duty on their part that has consequences for the university.

SIMMONS: That's a – that's a great point, Steve. We'll make sure that we are more clear on that when we disseminate it. Yeah?

ROBEL: Joelle and then –

BAHLOUL: [comments indistinct]

ROBEL: – I may have to ask you to speak up. I'm having trouble hearing you.

BAHLOUL: Thank you. I, just to go over [comment indistinct] questions. First of all, in the discussion here, the one scenario that comes to mind is the harassment or assault on a student by a faculty or another student. It seems to me that there are other players in this kind of scenario. First of all, nobody has spoken about harassment by a student to a faculty, harassment by or assault by a faculty to another faculty. Lastly and perhaps not the least, harassment or assault to a student by a non-IU offender. It seems to me that we have to [comment indistinct] in order to be completely aware of the situation –

SIMMONS: Yeah, and maybe we weren't very clear about that but, for instance, the faculty to faculty is an employee issue then, right? Faculty to faculty becomes interfaculty issues. There are existing procedures for investigation by Julie Knost's office of – of those kinds of sexual harassment charges. We are not required to change those procedures by the – the changes that have occurred recently under Title IX and under the Department of Education's interpretation of Title IX. So that has not changed. Those procedures still exist. The student harassing a faculty member – Pete, I may ask you to address how we handle that. I know a couple of times I've gotten involved where faculty members have complained about students harassing them and then we – I believe we've referred it to –

GOLDSMITH: Office of Student Ethics and through the student conduct procedures that currently exist.

SIMMONS: Right, and so those procedures also will not change. I actually see in my mind kind of a matrix, right? That to get to your point as well would be very clear if it's student-on-student

sexual assault, here's the phone number, here's the contact, what you do. If it's faculty-student here's – and it's sexual harassment – here's what you do. If it's sexual misconduct here's a different phone number for what you do. So I actually can kind of see a matrix in my mind that may be helpful to add to these materials that make it very clear in all these different scenarios what applies. Does that make sense?

BAHLOUL: I have another comment which is more general, if I may, it seems to me that as an institution of education we have to reflect quite thoroughly about prevention.

SIMMONS: Mmhmm.

ROBEL: That will be the next presentation.

BAHLOUL: And tell parents who plan to send their kids to IU, what exactly do we do in order for their kids to be completely safe. Now I'm not thinking about changing the entire world as it's existed for millennia, but I think that within this particular program there has to be some thinking about that.

SIMMONS: There is.

ROBEL: And – and I probably – that's probably the best segue to Rachel and maybe I'll just turn it – turn it over to you, Rachel.

MARTINEZ: Hello. My name is Rachel and I am with an initiative on campus called Culture of Care, and just a brief overview. Culture of Care is an initiative out of our student government, so it is fully student-led but heavily staff supported. It is exactly what it sounds like. We're here to help create a culture of care on campus in which students are empowered to be not just bystanders in an event, but intervene in a situation where they might be needed for a friend, somebody that they don't know, for themselves, for family members, anybody in a situation that might call for that kind of an intervene – or an intervention. So we're talking about this prevention method and that is exactly what we're trying to do. We're trying to educate students on a peer-to-peer level and so, in doing so, we are the ones that are disseminating the resources here on campus. We're giving them the information that they need as far as, where do you go if you need to report something? Where do you go if you counseling for a mental health issue? And so as – as students we are trying to find the best ways possible to reach out to our fellow peers. In the prevention – our – our prevention methods, we don't only provide resources, but we also provide bystander intervention training, which is one of the largest programs that we provide. It is an hour and a half program that goes over all of the ways in which you as an individual can be an intervener in a situation. It talks about what is bystander intervention. What does it mean to be a bystander? And it's trying to empower these students to be able to do that. So that is our prevention method. We've reached thousands of students

through this program. We plan to integrate into orientation, so every single freshman that will come through this university will be trained in bystander intervention, and I think that's incredible to be able to say. As it is right now, the programs within the orientation are a musical called *Welcome to College*. So, in this musical they cover all of the hard topics that every student on campus will – maybe not personally – experience, but they will inevitably know someone that does. So that's drugs, alcohol, sexual assaults, mental health illnesses, I mean things as much changing your diet or knowing how to study. That is a play that is – was – written by students for students, and we've had every single student for the last, I believe four years, go through that musical. We understand that by showing them a musical we're not shifting a culture necessarily, but we're starting conversation and that's – that's where we want to begin. So I'm here as a student representative to answer any questions that you might have about our programs or about plans we have for the future, things we've done in the past if you have anything.

ROBEL: And I might mention one more thing. There is a heavy emphasis in orientation activities and residence hall activities on intervention. There's also – Jackie mentioned two groups that had been put together by the president, one a policy group and one a – a group of student services professional – professionals and people who are at the point of – where they're – where they're having student contact and thinking about those programs. There's a third group, and that is a research group that is designed – whole faculty members who have particular expertise in sexual assault issues, prevention, and other – other things that sound in this – in this area, together to – so that we can put our research and our faculty expertise behind this effort. You know, I think often we do not draw on faculty members for the expertise they have. We're not making that mistake in this area, and in fact when I – when I have to leave early to go honor Sarita Soni, I should also tell you that Sarita is the person who's heading up this group. We've identified a number of faculty members, not only on this campus but in – on other campuses who have this kind of expertise and their – their job, really, is to try to take the research expertise they have and put it into action on behalf of our students. Yeah, Gretchen?

HORLACHER: I wonder if the same kind of program you're talking about would be useful for graduate students [comments indistinct] and especially our AI's. Lots of times when I hear these things it is through the AI's, 'I'm worried about so and so.' And 'I don't like the way something happened in my [comment indistinct] section or... Is there a group that could provide bystander intervention training to the AI's on a regular basis or… ?

ROBEL: David, do you – would you like to respond to that?

DALEKE: [comment indistinct] timing that's creating, like you said, a discussion earlier this morning about trying to coordinate orientation efforts for graduate students. And the GPSO

does some things and the graduate school used to have a more robust orientation program, but one issue that came is that we're really not completely [comment indistinct] of what orientation exist in all departments and I think that getting that information which we've already started on would help us to coordinate efforts in

ROBEL: That's a great point.

DALEKE: [comment indistinct]

ROBEL: Herb, and then Nicole –

TERRY: I would add to that there some special efforts towards international populations. A lot of the cases that I encountered were cultural differences, that [comment indistinct]

MARTINEZ: Sure, and I – I should have clarified a little bit earlier. So, Culture of Care has kind of a four-prong approach. We have four focus areas, one of those – one of our largest being sexual assault awareness. Well, we like to refer to it as sexual wellbeing so by means of consent or resources if you do need them. But our three other focus areas include mental health, awareness – drug and alcohol awareness – and respect, which is we like to include as hazing, diversity awareness, inclusion, anything that would go under respecting your peers for any difference that that might be. We work pretty closely with the cultural centers and – and diversity groups on campus. So we do have programming and resources that are available for international students and we might need to delve deeper into that to get more resources. I think that is a great idea for the coming year.

ROBEL: Micol?

SEIGEL: I want to expand on the comments I think made by Joelle about what it is that universities do best, except that I think that in some ways we can be more ambitious because our – our strengths as educators are, you know, are holistic, and this initiative which sounds excellent is – is not really prior to – isn't focused so much on the circumstances prior to an event, right? You guys are talking about intervention that is quite a bit later than prevention. The real kinds of prevention that we can imagine in the world have to do with changing much broader ideas about sex and gender, and so it seems to me that part of this initiative really should entail a renewed commitment to the study of sex and gender and to the – to undergraduate, graduate, and faculty research lines in gender studies, in queer studies, and in transgender studies, that those are the kinds of things that, you know, where really an ounce of prevention, even though it may look like another new line of faculty hiring, is something [comment indistinct] is worth many, many pounds of cures is the real kind of prevention that we as intellectuals, as educators, as academics ought to be imagining. So, I want to propose that alongside these sort of more immediate answers that we also renew our commitment to

supporting gender studies, queer studies, and transgender studies on this and other IU campuses.

BAHLOUL: And I would add to this position – intervention by the Kinsey Institute. We do have the Kinsey Institute in this university. We have to have [comment indistinct]

ROBEL: And they are – they are –

SIMMONS: We've had researchers –

ROBEL: – from Kinsey are very deeply involved in this. Justin Garcia is very deeply involved in this.

SPRINGSTON: In fact, I'd add he's – I've had a – gotten to Justin closely in the past few months who's been wonderful working with Pete, Leslie Fasone behind us, in coming up with surveys. OCR will require us to do a climate survey, but we will build on that and use that as an actually useful tool as well for more research gathering so that these things that you're sharing I think are at the heart of what they're trying to do. To use this for more long term benefit beyond just satisfying what the Office of Civil Rights is requiring us to do from their end.

ROBEL: I am going to – I think we could talk about this for many, many hours and we should.

BOSE: I just have one quick question.

ROBEL: Yeah?

BOSE: And that is, is this policy retroactive, I mean are you required to report instances that we might know of from academic year 2013-2014?

SPRINGSTON: I would encourage you to do that. If you know of something that you think has not been resolved or did not – someone did not get the help they needed, then certainly let us know.

AGENDA ITEM 8: INTRODUCTION TO JOHN WHELAN, ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES

ROBEL: Well, I would like to – we can certainly continue this discussion or have other people come back and – and I'm sure that Pete and Leslie who were – Leslie Fasone who is the – the support for the wonderful Culture of Care initiative would be happy to come back. I am going to have to leave for the celebration for Sarita and I wanted to both thank everyone who came today for everything that you're doing on behalf of our students and – and also to have an opportunity to say at least, hello, to John Whelan as he comes forward to be introduced as our new – our new assistant vice president for human resources, right? Come on forward, John.

SHERMAN: For those who don't know what that position means, you can think of him as the new Dan Rives.

ROBEL: And I think I will point to you Jim since you can introduce him.

SHERMAN: And I should mention that we're very fortunate to have John here and that Jackie Simmons in fact chaired the committee that ended up hiring John, so we're indebted to Jackie for doing that. Why don't you just say a few words, John?

WHELAN: Sure. Thank you for allowing me a few minutes of your time on a full agenda, but I'm just happy to have a chance to say hello, introduce myself, and then give you a little bit of thought about what I hope to do in my new role. So, I've really been on the ground here for about a month now. I started in the beginning of July but I was in and out quite a bit. Previously, spent five years as the head of human resources at Baylor University in Waco, Texas, and then I worked in human resources at Notre Dame for the six years prior to that, and then spent a number of years in human resources working in the corporate world at Bristol-Myers Squibb down in Evansville, Gillette in Boston and a couple of other smaller places so… Just a little bit about my background, let me just say I'm honored to be at Indiana University and having spent almost eighteen years of my life in and out of Indiana, I've always admired Indiana University, and so the privilege to be here is really great and my family, my wife, my kids, we're all happy to be here. I know a lot less than I do not know right now, and that's normal in a new position, but I'm aware of that and part of what I am trying to do with my time is to get around and listen. I can't do my job well, human resources can't serve you well, it can't serve this university well, if we don't listen and understand what you need. We exist as an organization, as a function in human resources to make this university effective, and it means all of you, at your department level, in your school level, on a campus level, on a university-wide. We – we exist to help you all accomplish what you need to do and – and if we're not listening then we can't do that and so I appreciate the opportunity to be here now and I look forward to as many opportunities as you would like to engage in dialogue whether it's in this forum or individual capacities or in your departments or in your schools. Please know that I want to listen and I want to incorporate your input in all the decisions we make so that they're the best decisions we can make. Now, that doesn't mean that it's always going to be that we're going to be – decisions will come out the way everybody would prefer, partly because the odds don't work that everyone's always going to think the same way, and there are other factors that come into play that we have to take into consideration. But, I think we're going to get to the right decision a lot more often if we're listening and taking input. So I'll leave it at that for now. I could go on but I want to be sensitive to the time, I just – I want you to know that I have an open door. I'm open to – I'll come to see you. I will take any input in any capacity you want and

then with that I'll start hopefully, you know, moving our HR function in a way that will be responsive to that.

SHERMAN: Thanks, John. I want to mention something that I think will – was true of the presentation by Jackie and Emily and Rachel, and is true of what John just did. A number of you have communicated to me that you want Faculty Council meetings to be less show and tell, and more discussion and questions. So with Jackie and Emily I asked them specifically, don't spend all the time showing PowerPoints that we can all look at, but rather let's be more open to discussion and questions, and I hope that is what you want. And with John, too, I would rather have questions and discussion about what he might do, what he intends to do, what he knows, what he doesn't know, what he needs rather than kind of a list, 'Well, here's what HR does.' Although, I do need to add something because one of the e-mails that I got was – I guess it's in the way of criticism, of when I – when I said that John Whelan was coming and HR is really important to us what I talked about is because what HR does in part is our healthcare, our retirement, and our faculty development. And I got a note from Jean Robinson, the Executive Associate Dean, that what John's office does is important because it's – and I'll read what she said, "it's the institutional mechanism for hiring support, technical and professional staff; it negotiates salary and wages for staff; it supports or denies staff efforts to have positions reclassified; etc… " In other words the working conditions for our staff, the available career ladders for them, the opportunities for staff training enrichment, the supports for medical and personal leaves for staff should also matter to the faculty even though they may not affect us personally. So I neglected to talk about the importance of John's office for our staff which of course is important for our staff, but also indirectly, for us. So I think Jean for – for adding this, and I neglected to do it. Yes, please?

SEIGEL: I'm – I'm sorry, but I – I want to just go back to the previous item because I don't understand what we did with it. So the sexual harassment policy, were we asked to do anything in relation to do anything in relation to that? To approve it? Just to know about it? Why did we talk about it?

SHERMAN: Good question. A) To know about it.

SEIGEL: Okay.

SHERMAN: There will be changes that come because of it, of which we will be informed. Some of those changes are because of the requirements of the Office of Civil Rights, but other changes will come before BFC because they are likely to be changes necessary to meet new code – to student code of conduct. And student code of conduct is something that falls under the purview of the Faculty Council. It's considered an educational aspect of student training

rather than a punitive aspect. So any changes that come to the student code of conduct through this will come to this body. So, this is just to set up what's likely to come. Yeah?

SPANG: Jim, if I can just quickly follow up on your answer to Micol. You'll notice that on the agenda point 7, Sexual Assault Prevention Initiative "[DISCUSSION]." So we did that – that's what we were supposed to do.

SHERMAN: But that there will be – there are likely to be action items that come out of it. So, some of the things that we do at the meetings are really for discussion purposes only because it's important to have an informed faculty even though it is not in our job as faculty to act on it, but it's important to know about what other bodies are doing in the General Counsel's office or Human Relations. We may not have control over it, but an understanding of it is really important. So we try to do both. Yeah, please?

BAILEY: I think what my colleague is asking is what's the function of the discussion beyond just discussing and informing? Are the suggestions that we made – how will the suggestions that we made – how will they be taken into account? Will we see some form of them be implemented? Do we need to vote on it? So – so it seems like that we are just discussing just to discuss and that's cute and everything, but what's the – what's the purpose?

SHERMAN: I disagree. I think that a lot of the suggestions that came to Jackie and Emily they will act on. I – I – I –

BAILEY: Oh, I – I didn't – I didn't say that that wasn't the case. I was actually asking.

SHERMAN: But no, I think a lot of the discussion leads to the suggestions that have an impact. I think if they had not come here some of these really good suggestions about things to add, things to change might not have occurred so I – I take it as a potentially very important part of what we do. Yeah, Frances?

TRIX: I think IU is worried about the visit that's starting September 8th? I think they're nervous because we're being visited. And I think – I don't know your first name –

SANDERS: Steve.

TRIX: Steve. Steve's point about this new legal thing. Frankly – Julie's not here anymore – the three people that we're supposed to report to? One of them is the last person I'd report any of this to. Excuse me, but they're not the people I would talk to about confidential matters. So, I have real reservations about this new legalism of this. I mean I dealt with these cases, as I said, the people have all left IU. I've been horrified with the results. So it's to me a great legalization of the whole process. So I have great reservations and I think IU is running scared.

SEIGEL: I have reservations, too. I have reservations about the – the hype that we seem to be sort of kneeling in front of and not able to imagine our own response to it –

TRIX: It's all attorneys who are running this process.

SEIGEL: Right, and also the potential for the criminalization of – of students or of more of the culture on campus. I don't think we had a very full discussion at all, but I – I understand if it's just something to help the legal counsel dodge the DoE, okay. But if we're going to really have a full discussion of sexual harassment, sexual violence, how to prevent it and so on, that's something else!

SHERMAN: So let – let me say if you would like to put on the agenda our own discussion of sexual harassment and assault – independent of General Counsel – we can do that.

SEIGEL: That wasn't the point today?

SHERMAN: That was not the point today. The point today was more informational and discussional to try to guide General Counsel into doing something. We can have that other discussion independent. General Counsel doesn't have to be here. The – Pete Goldsmith doesn't have to be here. We can discuss those issues. We cannot control anything. We can't pass something that has legal bindings, but we can pass a resolution that we can send on, which we often do, so… But – but I really – and I appreciate that and we can do that if that's an issue we want to discuss we can take it up. But I do want to give time – we're going back to the previous issue and, you know, John took his time to come here and what –

WHELAN: I understand.

SHERMAN: [comment indistinct] I would like to spend some time interacting with John, so... Yes, Herb?

TERRY: I came with two specific questions for John, and they're sort of overlapped, but not too much. The first one has to do with same-sex marriage [comment indistinct] accomplished on the issue in the last few months. The governor issued an order telling executive branch agencies to essentially ignore the court mandates and decisions. We aren't an executive agency, so my question is do we currently treat couples who are lawfully married in other jurisdictions or lawfully married in Indiana when that was lawful as married. I guess very specifically, are we still requiring marriage of same-sex couples to go through the rigmarole of filing for domestic partner status?

WHELAN: I can't answer it specifically just because, quite honestly, I haven't been here long enough to have even delved into that. So – but I will make note of that and if you'd like I can respond either to you directly or back to this group, but I do realize the importance of this. And

right now it is obviously a little bit of a confusing time at least from what I have seen from afar, you know, as to how we are supposed to handle this, and what we're required to do. Obviously, I think as far as what we should do is focus on equity, embrace equity, but then we have to obviously factor within that what the laws allow us to do, so... But I can get back to you with it.

TERRY: Yeah. My second question is a historical one. Your predecessor on many occasions reported to the Trustees that we were not in one sense very different from many other large employers that a substantial amount of our healthcare costs went to a very small number of insurers. He also noted, however, that we different from many large employers in that, of that, a substantial amount of that went to the dependents and spouses, people who did not actually work for us. In other words, a great deal of our healthcare costs seems to be the result, to be honest, of people working for us for healthcare benefits who have sick or ill dependents or spouses. And the Trustees discussed various solutions to this, you know, could we say we won't cover dependents? There's one major grocery chain in Indiana that's gone that route. Or we'll require people who have working dependents to have the other one get their insurance from the other employer or something like that. To what extent is – since the Trustees remain very concerned about our total expenditures for healthcare costs – to what extent is the issue of do we change the way we currently cover spouses or dependents on the table, and what are your current thoughts about that?

WHELAN: Well, I hadn't heard anything in regards to that conversation. But, again, as I said that since I'm new enough I – it may be going on and I'm just not aware of it. But I am not aware of that conversation. I would say for organizations that are moving away from covering dependents, I would say that's probably very much in the minority. I think it is still kind of the – the norm for larger organizations to provide coverage for dependents. Again, I don't want to speak on behalf of the Board if they, in some ways, have other ideas. But that – that would certainly be cutting edge and taking a whole new direction, I think, to make a decision like that. And I think there always has to be the balance of what is the right thing for people who are committing their time and their energy to work at this place. We have to factor into that, too, that we want to make this a place that people want to enjoy coming to work. They feel like what they are getting is worth the time they are putting in. So that would have to be part of any discussion of this but, again, I have not heard, this is the first time I have heard reference to that. So I cannot comment any more.

SHERMAN: I would add to the issue that Herb raised, I think a lot of decisions about benefits and retirements that you will have to make, a lot of them will center around the question of what's good for faculty recruitment and retention as opposed to necessarily just dollars in the

bottom box, and if it adversely affects recruitment and retention then you're going to hear about it.

WHELAN: Right, absolutely. I mean, that – that has to be, if not the most important factor, at the very top of the conversation of why we're doing what we're doing. And we can't ignore the finances, of course, because it's a finite figure that we're bound by to some degree, but that being said, we have to do what's going to make this an enticing place to work, to attract people and to keep the people who are here happy, satisfied, engaged.

SHERMAN: Any other questions? Comments for John? John will be back, I'm sure. As you can see, I'm really happy with a couple of John's answers. He basically said, 'Hey, I'm just here a couple of weeks I don't know all that much yet,' which is better than trying to squirm around and act like you know the answers because I don't think we should expect you to have dealt with these issues yet. But, I know you'll be back, and I am meeting with John one on one I think within the next week, so it'll be both education both directions and I suspect in the spring John will come back and having something to report. So, given that we were supposed to adjourn early, why don't we adjourn early? I'm never one to stay longer than we need to stay. Thank you.

MEETING ADJOURNED: 5:15PM