

FACULTY COUNCIL
Tuesday, January 25, 2011
3:30 – 5:15 pm
Seminar Room (2520D), Old Capitol Centre

MINUTES

Councilors Present: M. Billett, D. Black, S. Clark, S. Kurtz, J. Murph, N. Nisly, G. Penny, J. Reist, K. Sanders, J. Schoen, R. Valentine, S. Wilson.

Officers Present: E. Dove, D. Drake, R. Fumerton, J. Garfinkel.

Councilors Excused: J. Cox, D. Morris.

Councilors Absent: D. Bonthius, P. Mobily, L. Robertson.

Guests: G. Dodge (Chief Diversity Officer), B. Ingram (Office of the Provost), M. O'Hara (Psychology), T. Rice (Office of the Provost), A. Sullivan (*Daily Iowan*), L. Zaper (Faculty Senate).

I. Call to Order – President Dove called the meeting to order at 3:34 pm,
<http://www.uiowa.edu/~facsen/archive/documents/Agenda.FacultyCouncil.01.25.11.pdf>.

II. Approvals

- A. Meeting Agenda – Professor Schoen moved and Professor Black seconded that the agenda be approved. The motion carried unanimously. President Dove noted that two announcements in addition to those listed on the agenda will be made at the end of the meeting.
- B. Faculty Council Minutes (November 16, 2010) – Professor Schoen moved and Professor Kurtz seconded that the minutes be approved. The motion carried unanimously.
- C. Draft Faculty Senate Agenda (February 8, 2011) – President Dove indicated that one additional item, *Report on Annual Meeting of Coalition on Intercollegiate Athletics*, would be added to the agenda. Professor Black moved and Professor Clark seconded that the agenda be approved as amended. The motion carried unanimously.
- D. Committee Replacements (Richard Fumerton, Chair, Committee on Committees)
 - Nicole Nisly (Internal Medicine) to fill a vacancy on the Judicial Commission, 2011-13Professor Kurtz moved and Professor Schoen seconded that the replacement be approved. The motion carried unanimously.

III. New Business

- *Report on Annual Meeting of Coalition on Intercollegiate Athletics (Michael O'Hara, Psychology)*

President Dove thanked Professor O'Hara for representing the University of Iowa at the annual meeting of the Coalition on Intercollegiate Athletics (COIA). The meeting was held January 21-23 in Chicago at the Big Ten Center. Professor O'Hara reminded the councilors that COIA is a coalition of university faculty senates. It is the only national faculty voice on athletics. Recent NCAA president Myles Brand had been a key supporter of COIA. Professor O'Hara then briefly described the presentations made at the annual meeting. Penn State University President Graham Spanier spoke about presidential control of athletics. President Spanier opined that institutional control, or lack thereof, of collegiate athletics is the root of most problems that arise with athletics. He advocated for a strong system of monitoring for collegiate athletics, along with presidential engagement in athletics matters. On a related topic, Professor O'Hara noted that COIA had developed a list of best practices regarding athletics programs and then conducted a survey of member universities to determine whether the universities are using these best practices; it would appear that many universities are not.

Other speakers at the COIA annual meeting included Jim Delaney, Commissioner of the Big Ten Conference, who discussed initial admission eligibility. Since many athletes are not well-prepared for college by their high schools, which have varying standards, Commissioner Delaney suggested raising the university admission GPA requirement for core courses (English, math, etc.). Commissioner Delaney also indicated that freshman ineligibility is an issue that has re-emerged. If freshman ineligibility was instituted, student athletes would likely remain in their universities longer. As an aside, Professor O'Hara commented that he gained the sense in general that the Big Ten is a leader among university athletic conferences and desires higher standards for collegiate athletics overall. Professor O'Hara then continued his description of the annual meeting. From a panel on fiscal reform in athletics, the consensus emerged that it would be very difficult to cut athletics budgets and therefore athletics programs will continue to raise more and more money. Also, increased regulation has led to increased staffing needs and therefore increased athletics budgets. Recruiting violations are on the rise in all sports. As an example, Professor O'Hara commented that although there is a rule that potential recruits cannot be contacted until their junior year in high school, athletes are contacted as early as the seventh grade and this contact can verge on harassment. Vice President Fumerton asked what the consequences were for violations. Professor O'Hara said that there were varying degrees of punishment a university could receive for violations, going all the way up to the "death penalty," one consequence of which could be the cancellation of all games for a particular sport for an entire season. Professor Kurtz raised the question of selling off university sports teams to form minor sports leagues and charging a fee for use of the university name. Professor O'Hara commented that this idea had been put forth, both at the annual meeting and elsewhere, but it is unlikely to be enacted.

Professor O'Hara continued his remarks on the annual meeting by noting that NCAA President Mark Emmert spoke about efforts to make NCAA rules more comprehensible, as well as concerns about initial eligibility standards and better predictability of student success. The academic progress rate currently used has not turned out to be the predictor of student success that it was intended to be. An institution's academic progress rate of 925 does not ensure a 50% graduation rate, as previously believed. Professor O'Hara noted, however, that student athletes typically have a higher graduation rate than non-athlete students. In response to a question

from Professor Kurtz, Professor O'Hara indicated that the role of each campus' Presidential Committee on Athletics (as this body is called at the University of Iowa) was a topic of discussion at the meeting. Professor O'Hara listed some best practices surrounding this committee; these include appointing tenured faculty members in accordance with the rules of the campus faculty governance body; appointing the Faculty Athletics Representative (FAR) as an ex-officio member; and requiring that the committee be consulted on matters of hiring senior athletic department staff, on the total number of athletic teams, and on all capital projects. The FAR should be appointed by the university president after consultation with the campus faculty governance body. The athletic director, FAR and chair of the PCA should report annually to the faculty regarding the academic progress rate, student athlete graduation rates, and the percentage and progress of special admit student athletes. The UI is in varying degrees of compliance with these recommendations.

Professor O'Hara then directed the Council's attention to a report entitled *Restoring the Balance: Dollars, Values, and the Future of College Sports*, released by the Knight Commission on Intercollegiate Athletics. The report's recommendations are based on two broad principles: *academics first* and *responsible spending*. The recommendations include 1) requiring greater transparency, including better measures to compare athletics spending to academic spending, 2) rewarding practices that make academic values a priority, and 3) treating college athletes as students first and foremost – not as professionals. Each recommendation is supported by a number of suggested strategies. Professor O'Hara explained that COIA is seeking endorsement of the Knight Commission report by its member faculty senates. Vice President Fumerton cautioned against taking unilateral action. Professor O'Hara observed that most of the recommendations would need to be implemented on the conference level. Professor Murph pointed out that little data was provided in the report to support the recommendations. She questioned bringing the report to the Council and Senate for endorsement without such data, especially without data specifically from UI. President Dove responded that the Council and Senate would merely be asked to endorse the general principles of the report. He added that Professors Ellen Herman and Gene Parkin had been asked by President Mason to serve as the new Faculty Athletics Representatives, while Professor Margaret Raymond has been asked to chair the PCA. The PCA itself is currently under review to determine how to enhance its role; in recent years, it has lost some of its authority and become a purely advisory body. Associate Provost for Undergraduate Education Beth Ingram added that there is a subcommittee of the PCA charged specifically with oversight of academics. President Dove commented that the Faculty Senate should play a more active role in requesting athletics-related reports. Professor Kurtz urged that the university adopt the best practices recommended by COIA and described earlier by Professor O'Hara. Vice President Fumerton suggested waiting until after the February 8 Faculty Senate meeting, at which Athletic Director Gary Barta is scheduled to speak, before asking for endorsement, as it may be helpful to hear Director Barta's opinion of the report.

Professor O'Hara then showed a presentation created by the NCAA for the COIA annual meeting. The presentation was entitled *NCAA Division I Academic Cabinet Concepts for Consideration: Two-Year College Transfer Requirements*. The NCAA is seeking feedback from institutions regarding these concepts. According to the NCAA, two-year college students tend to enter four-year colleges poorly prepared and tend to leave four-year colleges ineligible for

athletic participation at higher rates than student athletes who enter four-year colleges directly from high school. GPA has been identified as the strongest predictor of first-year academic success at four-year colleges; therefore it is recommended that the current 2.000 GPA requirement be increased. Some two-year college students enter four-year colleges with an inordinate number of physical education activity credits; the greater the number of such credits, the more likely the student is to struggle academically at the four-year college. On the other hand, two-year college students with higher numbers of core academic credits, particularly in science, tend to fare better academically. Also, some two-year student athletes need three years to complete their two-year degrees, with the first year being largely remedial. Suggested revisions (which would also apply to 4-2-4 transfers) include increasing the transferable GPA from 2.000 to 2.500 and expanding the physical education activity course limit of two credits to all sports (currently applied only to men's basketball), as well as adding a science requirement to the required core courses.

Vice President Fumerton asked how the requirements suggested compare to the requirements for transfer students who are not athletes. Associate Provost Beth Ingram responded that for institutions with which UI has articulation agreements, completion of the A.A. degree with a 2.0 GPA is sufficient for acceptance into the UI and also fulfills the general education requirements (although not all of the two-year college courses may transfer). A GPA of 2.5 is the GPA requirement without an A.A. degree. In response to several questions, she clarified that such students would be accepted automatically into the university (into the College of Liberal Arts and Sciences), but that they may need to meet additional requirements to be accepted into specific colleges such as Engineering or the Tippie College of Business. Vice President Fumerton expressed concern about treating student athletes differently from other students in the transfer process and suggested looking at data on the academic performance of transfer students who are not athletes for comparison. Professor Nisly suggested further analyzing such data in terms of gender, race, ethnicity, and socio-economic status. She also asked if any support services are provided to transfer students. Associate Provost Ingram replied that a transfer transition course is available to all transfer students. She added that all students, athletes and non-athletes, are admitted under the same standards to the UI. Professor Murph suggested that the special support programs available to student athletes also be a subject of discussion. Professor Nisly commented upon the wide array of support programs available to many students, not just athletes. President Dove reminded the group that the NCAA suggestions are still under discussion at this time. He invited Professor O'Hara to appear before the Faculty Senate in the near future.

- *Report on Workshop on Support for Arts, Humanities, and Social Science Faculty Research (Ed Dove)*

President Dove reported that the Faculty Senate and the Obermann Center for Advanced Studies co-sponsored the workshop on Saturday, January 22. Attendees included many DEO's from the arts, humanities and social sciences, along with Provost Barry Butler and CLAS Dean Linda Maxson. Jim Leach, Chair of the National Endowment for the Humanities, was a guest speaker. One of the main topics of the workshop was support for research time for faculty in the arts, humanities, and social sciences. Career Development Awards, cost-neutral alternatives and possible research funding mechanisms were all discussed. A white paper based upon these

discussions will be produced and brought to the Faculty Council for consideration. White paper recommendations, if adopted, could impact all faculty at the university.

Professor Kurtz asked about the status of the current year's proposed Career Development Awards. President Dove responded that House Bill 45 calls for an end of funding for Career Development Awards for eighteen months. However, 58 previously-approved (by the Board of Regents, State of Iowa) Career Development Awards will probably still be funded in the coming year, if not with general fund money, then by some other means. It is unclear at this time what the fate of House Bill 45 would be in the Iowa Senate.

- *Anti-Retaliation Policy Revision (Judie Hermsen, Human Resources and Tom Rice, Office of the Provost)*

President Dove indicated that the Faculty Policies and Compensation Committee had reviewed the revised Anti-Retaliation Policy and approved it in the version that was now presented to the Council. Ms. Hermsen explained that she and Associate Provost for Faculty Tom Rice co-chair the Conflict Management Advisory Committee, which had been charged by President Mason to review the Anti-Retaliation Policy. Ms. Hermsen then described the revisions made to the policy. The committee had noted the emphasis on retaliation in response to whistle-blowing in the previous version of the policy and added language clarifying that the policy applies to retaliation in a wider context. The definition of retaliation was also broadened to include "purposeful exclusion from job interactions," a phenomenon increasingly witnessed and reported by faculty, staff, and students. A paragraph was added to indicate that agreement to a confidentiality statement does not prohibit sharing information to report misconduct, unless such information-sharing is also prohibited by a law such as the Health Information Privacy and Accountability Act. Resources were added to the policy, including links to the websites of the Office of the Ombudsperson and other relevant offices. Definitions of "reporter" and "complainant" were clarified, as those terms could refer to different individuals. Language was included to extend policy coverage to persons with close associations with either reporters or complainants. Finally, examples previously included in the policy were removed, consistent with other university policies.

Professor Nisly asked for an example of a "close association." Ms. Hermsen indicated that a spouse would be one such example. Professor Kurtz suggested providing a definition of the phrase "close association" for greater clarity. Other Councilors preferred leaving the phrase undefined so that an inadvertent exclusion would not occur. Ms. Hermsen will explore the possibility of creating a definition.

Professor Nisly moved and Professor Kurtz seconded that the revised Anti-Retaliation Policy with the possible inclusion of language clarifying the phrase "close association" be sent to the Faculty Senate for consideration. The motion carried unanimously.

IV. From the Floor – There were no issues from the floor.

V. Announcements

- The search for the next provost is underway. If you know of individuals who might be qualified candidates, please encourage them to apply. Also, feel free to forward

names of potential candidates to the co-chairs of the search committee: Richard Fumerton, richard-fumerton@uiowa.edu, and Keith Carter, keith-carter@uiowa.edu.

- The UI AAUP Chapter will be one of the co-hosts of a legislative forum held on Saturday, January 29, 9:30-11:30 am, at the Iowa City Civic Center. Members of the Johnson County legislative delegation will be present at the forum to answer questions.
- The next Faculty Senate meeting will be Tuesday, February 8, 3:30-5:15 pm in the Senate Chamber of the Old Capitol.
- The next Faculty Council meeting will be Tuesday, March 8, 3:30-5:15 pm in the Seminar Room (2520D) of the University Capitol Centre.
- The call has gone out for nominations for the Michael J. Brody Award for Faculty Excellence in Service to the University and the State of Iowa. Please encourage your colleagues to nominate someone. The deadline to submit nominations is Thursday, March 10.
- The online committee recruitment drive is scheduled to begin shortly. Please encourage your colleagues to participate.
- Online nominations for Faculty Senate begin on Friday, January 28, at 8 am. Please encourage your colleagues to participate.

VI. Adjournment – Professor Kurtz moved and Past President Drake seconded that the meeting be adjourned. The motion carried unanimously. President Dove adjourned the meeting at 4:50 pm.