

University of Iowa
FACULTY COUNCIL
Tuesday, March 12, 2002
3:30 p.m.

Northwestern Room, 345 Iowa Memorial Union

Members Present: Rebecca Hegeman, Richard LeBlond, Patrick Lloyd, Chuck Lynch, David Manderscheid, Kim Marra, Ann Marie McCarthy, Paul Muhly, Gene Parkin, Craig Porter, Margaret Raymond, Lisa Troyer, John Westefeld

Members Absent: None

Members Excused: Joyce Berg, Vicki Grassian, John Moyers, Hazel Seaba

Faculty Senate Officers in Attendance: Amitava Bhattacharjee, President; Jeff Cox, Vice President; Erin Irish, Secretary; Carolyn Colvin, Past President

Guests: Jane Holland (Family Services Coordinator), Jim Andrews (EPC), Bonnie Slatton (BICOA), Kathryn Wynes (Provosts' Office), Greg Wood (Daily Iowan), Jim Jacobson (*Gazette*), Charles Drum (University Relations), Heather Woodward (*Press-Citizen*), Lee Anna Clark (Office of the Provost), Jon Whitmore (Provost), Julie Thatcher (Faculty Senate Office), Raul Curto (Liberal Arts and Sciences), Nancy Williams (Provost's Office)

I. Call to Order

The meeting was called to order at 3:35.

II. Approval of Minutes: Faculty Council, February 26, 2002

President Bhattacharjee informed the Council that Professor Kitty Buckwalter has sent him e-mail correcting what she thought was her misstatement at the Council meeting of February 26. Prof. Buckwalter, after realizing not only that her statement was erroneous but also that it may have cast unfavorable light on others, asked that the minutes be corrected. She had stated on February 26 that the draft of the job description had gone to the Office of Affirmative Action in early February. In fact, it did not go out until February 27. She did not wish anyone to infer that the Office of Affirmative Action was anything but prompt and responsive in moving the search forward. Also, during the February 26 meeting there had been questions about voting procedures, and other protocol. President Bhattacharjee reported that Prof. Abboud had called to provide more information about the protocol of the search. They are in process of framing the rules of the search, and will keep the lines of communication open.

With no other corrections, the minutes were accepted.

III. New Business: Adoptive Leave Policy (Lee Anna Clark)

Associate Provost Clark reported that Sue Buckley had suggested the policy change, which was framed by Nancy Williams and Jane Holland. Jane Holland, the Family Services Coordinator, explained that their charge had been to reexamine the adoptive leave policy. This initiative stemmed from requests from adoptive parents among faculty and staff. Currently, a new adoptive parent receives five days' leave. This leave runs concurrently with FMLA. For most, it is vacation leave. The recommendation is that the current leave be extended to 10 days, i.e. increased by five days. If both parents were employed by the university, only one would get the extra five days. As part of designing this proposal, they had examined the cost of adoptive leave over two different periods, and determined the cost (salary during paid leave for adoption) of the current policy to the university. Then, they calculated what the cost would be if the adoptive parents had had the additional five days. Other than the salary for the paid leave, there is no cost to the university, except in cases when a temporary worker would need to be brought in to cover the absence.

Most of the cases they contemplated would be those of international adoption, which entails extraordinary demands. They also did a survey of adoption leave policies of other Big 10 universities and local businesses for comparison. Adoptive leave is being treated differently from maternity leave, as the latter has been regarded historically as sick leave. Also, the cost of extending this period for adoptive parents only keeps the new cost to the university modest, a consideration in these tough budget times. They did consider increasing coverage of maternity leave, but did a survey of recent births, and felt that that extension would not be feasible. Holland acknowledged that their various policies are piecemeal, and hoped that the various policies could be brought together in the future.

Prof. Troyer asked how the number of additional days was determined. Holland answered simply that it was doable. Prof. Troyer asked whether foster parents were considered. Holland answered that they were, but at present they are not covered by this policy. Down the road this can be reconsidered. Associate Provost Clark reported that five of our Big 10 peers give two weeks for adoptive leave. Williams added that foster care is a FMLA event, so there is coverage there.

President Bhattacharjee observed that for international adoption, just the travel and the paperwork alone could take as long as three or four weeks. Holland agreed, adding that many of the people they interviewed while developing this policy said the same thing. Minimally, it takes five days just to go to get the child and complete all the paperwork. President Bhattacharjee thought that two weeks would be still not quite enough. Holland explained that medical leave could be used to supplement the period. The sentiment among those they had interviewed was that anything that they could provide would help, as they recognized the financial constraints of the university. Prof. Westefeld asked whether taking it to 15 days might be too much cost. Holland thought it would, and Williams added that they also didn't want to be too far out of step with what a new (nonadoptive) father gets. Prof. Porter, a new adoptive parent, asked what the rationale for 15 days total and not 10 days each was for adoptive couples who are both employed the university. He applauded their efforts to improve the policy, but made the point that if both parents are employed, it seemed that there would a need for more, not less, flexibility. Associate Provost Clark thought that was a point well taken. Holland explained that they wanted to keep this policy in line that for with parental leave.

Prof. Porter moved and Prof. Manderscheid seconded the following:

MOTION: To endorse the policy and forward it to the Senate. *The motion passed.*

Associate Provost Clark raised the question of whether the leave could be split 7-8 instead of 5-10. Holland thought it probably could.

IV. Unfinished Business: CIC Resolution on Intercollegiate Athletics and Guidelines for Monitoring and Reporting by the Board in Control of Athletics

In reintroducing this topic, President Bhattacharjee noted that we have all learned a lot about athletics here since this first came up. As the result of our discussions it seems that BICOA will interact more closely with faculty governance bodies. So, even if the CIC resolution is not passed nationally, these discussions are likely to benefit Iowa.

President Bhattacharjee reminded the Council that the CIC resolution had two parts, above and below the line in the attachment that was distributed earlier. The whole resolution has been passed by the Faculty Senates of Indiana University and the University of Minnesota. This Council had chosen not to vote on the bulleted items the last time we considered the resolution. The Council also thought that we should frame a set of guidelines for reporting. He asked if there was any sense in voting on what is below the line, adding that the letter from Professor Robert Eno (President, Faculty Senate, Indiana University) had said that the drafters of the resolution had taken “a plunge in the dark” on some of these. But, at least some senates have seen it fit to pass them. Nick Colangelo was not able to attend this meeting, so President Bhattacharjee asked Profs. Lynch and Parkin, who also serve on BICOA, to take questions.

President Bhattacharjee had prepared a draft of guidelines, which he explained would be a preliminary draft that would go to BICOA for refinement. Prof. Cox thought that items 2 and 3 could take a lot of time and expertise that the Council, in general, lacks. He suggested that BICOA consider these points. Prof. Lynch thought that BICOA would go along with that, and added that many of these points have already been dealt with by BICOA. For instance, the number of classes missed is closely controlled by BICAO. Regarding the issue of sharing revenue: the Big 10 is a leader among conferences. Prof. Slatton applauded the Senate for taking these issues up. It helps them if Faculty Senates take positions. She thought that the guidelines would get us where we want to go. Prof. Muhly pointed out that the second bullet under item 2 has tremendous financial repercussions. Prof. Lynch suggested that perhaps BICOA should make resolutions that they then bring to the Senate. Prof. Muhly agreed.

President Bhattacharjee turned the discussion to consider his proposed guidelines, which were in its preliminary stages. He had been trying to come up with common language with other members of the CIC. He had also examined the Operations Manual to learn what the responsibilities of BICOA are, and had found that they are not very well specified, with only three lines in the second paragraph. He speculated that BICOA has worked well by force of tradition, not by its charge. He had picked out the three principles that should inform these guidelines, and came up with a list of items on which BICOA should report to Faculty Senate. Expecting it to be an incomplete list, he asked the Council to add more items. He also reminded

us that there is in addition the Jeff Cox amendment, which had been passed by the Council but tabled by the Senate. Prof. Cox had since revised his amendment, and would propose it as a new amendment.

Prof. Muhly thought would be important that the athletics budget be examined by the Senate Budget Committee, noting that many have reacted very strongly to the allocation of General Education Fund moneys to athletics. He suggested that we consider weaning athletics from that contribution. He would like to see the Faculty Senate Budget Committee examine the budget in view of other expenditures by the university. President Bhattacharjee asked whether this is something that BICOA should be doing, or should it be done by the Senate Budget Committee. Prof. Westefeld asked whether BICOA reviews the budget. Prof. Lynch responded that there are five subcommittees of BICOA, including finance and facilities; however, BICOA is heavily slanted toward academic issues. He thought we should hear the whole story, not just the budget. His previous objection to the old amendment was that it was too specific. It could be written to give a much more useful set of information. For example, gender equity should be reported on. President Bhattacharjee agreed that gender equity is important, as well as being the law. However, (in his view) it has led to spiraling costs. In this atmosphere when we are giving up so much, perhaps the costs of gender equity should be shouldered by athletics. Prof. LeBlond had the sense that we are trying to ace this, when we should be approaching this as more of a complete tennis match. He suggested a more iterative process in which we let BICOA know that we want to learn what is going on, let them start reporting, and then we can respond with whether this is necessary and sufficient information. Prof. Slatton clarified a few things: she thought it was not fair to say that spiraling costs come from working toward gender equity. The budget of men's athletics hasn't declined as we added women's programs. In early 90's, women's sport support had actually declined. Restoring it to its previous level of support can explain why it is now up to 2 million. She wanted to know whether we wanted to see just the use of General Fund allocations, or the whole budget. There was a general consensus that the focus should be on state-derived funds, and not other sources, though Prof. Cox observed that they were not unrelated. Prof. Colvin also did not want gender equity to "take the hit" for the state budget shortfall.

Prof. LeBlond asked to whom BICOA reports. Prof. Lynch replied that they report to the Faculty Senate. President Bhattacharjee said that when he first asked President Coleman why so much General Fund moneys go to athletics, she answered that they were used to comply with Title IX. He did not mean to suggest that gender equity is responsible for budget shortfalls. Prof. Cox reported that President Coleman had had a very spirited discussion on this topic with the Faculty Senate Officers, especially since the Faculty Senate Officers don't all agree on this issue. President Coleman is still strongly committed to supporting women's sports with the General Fund.

Prof. Porter wanted to know how much input faculty have on budget issues. President Bhattacharjee answered that the central administration welcomes our input in a variety of committees. However, attendance at some of these meetings, even this year, is still not as good as it can be. Prof. Porter observed that athletics has an academic mission, as well as a semiprofessional mission. It disturbed him that he had the sense that some would like to see funds for the academic mission of athletics be cut. He thought that if we do that, we should look

at other academic missions too. Prof. Muhly pointed out that a lot of things that they should be looking at are never brought to his committee, not just athletics. For the last three years, they have primarily dealt with budget reductions. Even then, when being asked to think of what to cut, they are never in a position where various units to be “sacrificed” can be compared. For example, last fall the Vice President for Research came up with a list of cuts for the Nov. 1 budget reduction. These had a big impact on research at the university, yet his committee never had a chance to consider alternatives. They also spend a lot of time on salaries, such as when the state recommends a 4 % raise but gives only enough for 3%. He suggested that the athletics budget be treated the same as all other parts of the university budget, such that when cuts are being faced by the university, this allocation is reviewed in the same way as cuts to, say, research.

Prof. Parkin asked that we not focus on just gender equity, but equity in general: there are other issues equally important. Prof. Westefeld was still not following the role of BICOA with regard to budget. Prof. Slatton reported that BICOA suffers frustrations similar to Prof. Muhly’s. They get reports, but can’t get underneath them. Trying to improve that aspect, part of the merger was to get one budget so that it would be transparent. She pointed out that, with every expenditure, the question should be asked, “How does this affect equity?” If the Senate asks for specific reporting from BICOA, that will give them the ability to demand better reporting from Athletics. Having served as Faculty Representative for twenty years, she assured the Council that Athletics has consistently given reports; however, they have been too general. She was pleased that the Senate is asking for much more detail.

President Bhattacharjee read the list drawn up by the CIC for ideal board functions, and then asked how many of these things BICOA currently does. Prof. Slatton answered that these are what they do. President Bhattacharjee thought that what is getting lost is that BICOA is a faculty governance body. Prof. Slatton concurred, clarifying that the majority has to be faculty, as it is a charter committee. Prof. Cox suggested a committee be appointed to draft additional information for the Operations Manual. Associate Provost Clark pointed out that, as Prof. Slatton had indicated, there is a more detailed list of responsibilities, and suggested a hotlink to that from the online Operations Manual. Prof. LeBlond was not sure what the function of Faculty Senate and other committees is *vis a vis* decision making for allocations—advisory, providing sunshine, or something else. President Bhattacharjee explained that whereas everything we do is advisory, our actions receive the attention of Jessup Hall. He added that there is a different issue of synchronizing what committees do with what becomes policy, and he hoped to improve that linkage. Prof. Muhly concurred, adding that for his committee the expectation, like many committees described in the Operations Manual, is that “the committee advises the central administration...” Prof. LeBlond recommended that we stay on a higher level than line items.

Prof. Colvin observed that whenever we get to this issue we get hung up on budget. She requested that we get that information to inform further discussions. President Bhattacharjee agreed and said that he had asked Vice President True for this information, but was now waiting to receive it. Prof. Lynch discussed some of the specifics. BICOA views GPAs alone as useless. They want to know who is doing well, maybe achieving honors, as well as who is doing very poorly. They interview the latter. Also, they make awards to athletes who have excelled academically. Prof. Lloyd asked whether they receive midterm reports and find out who is

making it to class. Prof. Slatton said they get that information and a lot of other reports, mostly from the Registrar's Office. Prof. Manderscheid suggested that BICOA provide Faculty Senate with a list of information and ask whether this is what we want to know. Prof. Lynch suggested that each of us get a copy of the manual for BICOA, which is on line, according to Prof. Slatton, who will provide the URL. Prof. Lynch added that the current manual was recently updated, a project that took five years to complete. President Bhattacharjee promised to forward these suggestions to Nick Colangelo.

Associate Provost Clark had a minor question about the proposed guidelines, which contemplate that these reports "should providing increasing amounts of information," wondering if that meant that they are expected get longer each year. President Bhattacharjee clarified that his intent was that each year we should become more educated with each new report.

Prof. Cox presented his new amendment. At the last Senate meeting at which the CIC resolution was discussed, it was clear that there were strong opinions about using academic funds to support athletics. He would like to link some of the reporting to budget expenditures. He thought it was important to make the distinction between whether the current amount of expenditure is appropriate and whether it is appropriate to use General Funds in general. That thinking motivated his new amendment. Referring to his Revised Amendment, he offered a modification, changing "yearly" to "in 2003, and in subsequent years if appropriate." His plan was to put this amendment forward to the Senate as a substitute for his last amendment. He pointed out that items 2 and 4 cost money. This is a philosophical issue.

Prof. Muhly suggested changing "state support" to "general fund support," or, do we want to include foundation support? He would like to view the whole budget. Prof. Lynch was not satisfied with the state of the Council's expectations for reporting from BICOA and Athletics. Prof. LeBlond thought that we should focus on the use of General Fund moneys, as that would give us a minimum data set from which we can work. Prof. Cox thought that we need to do more work to determine what the annual report should contain. He would like to have BCOA consider this. Prof. Porter addressed the question of whether the level of support from state is justifiable: we can't answer this question unless we look at the whole university. Prof. Cox agreed but pointed out that roughly half of the Senate thinks that no support is justifiable, which is why it should be brought up. President Bhattacharjee mentioned that indirect cost returns is a similarly contentious issue, where there are special questions about these areas, which are different from other parts of the university. Prof. LeBlond advised that we start with the data before we start making judgments. He added that whether it is justifiable shouldn't be limited to BICOA. Prof. Colvin pointed out that what is justifiable is relative. Associate Provost Clark asked whether it is possible to tie sources of revenue with expenditures. Prof. Muhly responded that one of the major recommendations of the Carlson committee is activity-linked accounting.

Prof. LeBlond predicted that when you start looking at where money goes, you would find that some is restricted and some isn't, so it's very complicated. Prof. Cox said that it is clear to President Coleman is that this money goes for women's athletics. Associate Provost Clark observed that that is in her head- there is no actual linkage. Nothing is designated for a particular purpose. Prof. Cox thought that it comes down to whether you buy the rhetoric of the people giving the money. Prof. Slatton reported having spoken earlier that day with General Counsel

Schantz, who conveyed to her that with the budget crisis, Athletics is not operating as if nothing has happened. Also, with Faculty Senate asking questions, BICOA and the central administration are reexamining their budgets and asking whether they can do things differently, to rely on different sources rather than General Fund support. President Bhattacharjee was encouraged that these discussions are taking place; nonetheless, when he asks President Coleman why this costs so much, she has yet to answer that some coaches are paid too much. Prof. Colvin suggested the friendly amendment to strike the second line of item one. Prof. Cox accepted that. Raymond wanted to rewrite item 1 to address fungibility, suggesting replacing “for what purposes” with “why.” Prof. Manderscheid suggested for item 2, inserting “inappropriate” before “commercialization.”

The final form of the amendment was:

The Faculty Senate asks the Board in Control of Athletics to report in 2003 and in subsequent years, as appropriate, to the Senate on the following areas of concern:

1. What general funds of the state have been used to support the athletic department, and why?
2. What steps have been taken to reduce inappropriate commercialization of athletics, including (but not limited to) a reduction in the use of corporate logos on university athletic equipment and uniforms?
3. What steps have been taken, locally and/or nationally, to reduce the “arms race” between institutions over facilities and coaches’ salaries?
4. What steps have been taken, locally, and/or national, to eliminate alcoholic beverage advertising on radio and television broadcasts of UI athletic events?

Prof. Colvin moved and Prof. Muhly seconded the following:

MOTION: To accept the Revised Cox amendment, with additional revisions, and send it on to the Senate for consideration. *The motion carried.*

V. Adjournment

The meeting was adjourned at 5:20.

Respectfully submitted,
Erin Irish, Secretary