

UNIVERSITY OF IOWA FACULTY COUNCIL
Minutes
Tuesday, 6 April 1999
Ohio State Room (343), IMU

Members Present: A. Bhattacharjee, S. Bishara, L. Burmeister, J. Carlson, K. Clark, C. Colvin, R. Cox, J. Jew, J. Kline, J. Menninger, G. Milavetz, K. Tachau, E. Wasserman, B. Wiley.

Members Absent: B. Butler, H. Diehl.

Members Absent (Excused): C. Lynch, M. Pincus, M. Stone.

Guests: Charles Drum (University Relations), Christine Grant (Women's Athletics), John Folkins (Office of the Provost), Lee Anna Clark (Office of the Provost), Lyle Muller (Cedar Rapids Gazette), Jon Whitmore (Office of the Provost), W. H. Knight Jr. (office of the Provost), John Donelson (Biochemistry), Carol TeBockhorst (Faculty Senate Office).

I. The meeting was called to order by President Wiley at 3:41 PM

President Wiley recognized Councilors whose term was expiring and thanked them for their service to the University. There was a round of applause for Councilors Butler, Bishara, Burmeister, Dellsburger, Diehl, Lynch, Menninger, Mescher, Wasserman and Weir.

II. Prof. Tachau moved, seconded by Prof. Colvin to approve the agenda, as amended, for the meeting. The amended agenda was approved without dissent.

III. Prof. Burmeister moved, seconded by Prof. Bhattacharjee, to approve the minutes of the Faculty Council meeting of 2 March 1999. The minutes, as corrected, were approved without dissent.

IV. Announcements

A. Pres. Wiley reminded Councilors of the reception by University President Coleman for the Faculty Senate on 13 April 1999, 5:30-7:00 PM, at the President's residence.

B. Planning is now in progress for the annual retreat by members of the Faculty Council and Central Administration. Councilors were asked to suggest items to be included on the agenda.

V. Report on Intercollegiate Athletics: Bob Bowlsby, Director of Men's Athletics; Christine Grant, Director of Women's Athletics; Bonnie Slatton, Board of Control of Athletics Representative to the Big 10.

Director Grant's remarks addressed several issues: graduation rates of women athletes, fund-raising for women's teams, recent court decisions affecting the NCAA, and the women's gymnastics team rules concerning drugs and alcohol. On the subject of academic performance, an 11-year analysis shows a steady fraction of >90% graduation by members of women's athletic teams. The cumulative grade point average for all teams is 2.98. A capital campaign for women's athletics has already achieved more than 90% of its goal. Annual giving is approximately one-half million dollars but a stronger foundation is needed to improve excellence. Athletics in general need to address creatively the standards for

eligibility of athletes entering college so as to avoid discrimination against under-represented populations.

Gymnastics was portrayed as the sport most dangerous for women — one slip can lead to disastrous consequences. Women's athletics thus offers no apologies for a strong policy on drugs and alcohol: team members need a safe atmosphere. The current policy, which has been in effect for years, was carefully explained to prospective team members and their parents before they entered the program. Some current athletes disagreed with and violated the policy, so appropriate action was taken. All such policies will be reviewed but it is unlikely that there will result a uniform policy for all sports. Director Grant stated that she would not have requested the resignation of the team's coach, who made her own decision to resign.

Prof. Cox asked whether other sports have such an extensive no-alcohol policy. Director Grant responded no, but many sports have a no-alcohol policy during training. Gymnasts, however, practice all year; it is too dangerous to take a long period off from training. Prof. Colvin asked about policy differences between men's and women's teams. Director Grant explained that the men's team had a policy of no drinking for athletes under 18 years of age; otherwise, team members were supposed to drink responsibly. Women gymnasts were prohibited from any drinking. Prof. Tachau, responding to press accounts that the NCAA might decide to ask Universities to pay fines levied by judgments of courts, declared her intention of presenting a formal motion that the University of Iowa not pay such fines. Director Grant stated that no one wanted the Universities to pay. Prof. Tachau noted that the new library at Pennsylvania State University was to be named for the retiring football coach, recognizing his generous financial contributions to the libraries over the years. She thought this behavior pattern should be encouraged. Prof. Colvin asked whether the University pays to belong to the NCAA. Director Grant admitted that we do pay, but the University receives back much greater amounts from the NCAA as shares in television contracts, etc.

Prof. Bhattacharjee, noting press accounts concerning the possibility of Notre Dame joining the Big 10 conference, asked why there had been no consultation with the Faculty Senate or Council since such an event would have significant implications for academic programs and faculty. Prof. Slatton responded by pointing out that when Penn State became a member of the Big 10 there were analyses of academic programs, finances, etc. In fact, there had been an academic analysis of Notre Dame done at the time Penn State was being considered and many issues were examined. In the case of Notre Dame, only behind-the-scenes discussions were held and no official recommendation for membership occurred. Press coverage suggesting that an invitation had been given were erroneous. Prof. Slatton declared that it was absolutely inappropriate to expand membership in the athletic conference without extensive consultations with faculty at all the affected institutions. Director Grant added that the Presidents of the Big 10 universities made the decision on adding Penn State and the athletics directors were informed only afterwards. Provost Whitmore agreed that there were no formal proposals to the CIC (the academic group comprising the Big 10 universities and the University of Chicago) concerning the addition of Notre Dame.

Returning to an earlier issue, Prof. Colvin asked who sets athletic team policies on alcohol. Director Grant stated that it is the coaches in consultation with the student athletes. She had no knowledge how the men's team policy was decided. Prof. Tachau pointed out that, since men gymnasts should be at equal risk from the dangers of alcohol, the policies seem to satisfy cultural expectations. Director Grant noted that there is substantial autonomy for coaches on such policies. There is a current attempt to have a reasonable general policy without insisting on uniformity across teams. Prof. Slatton stated that the faculty Board in Control of Athletics has decided to examine team policies, particularly the alcohol/drug use

policies. Any move away from a strong prohibition is the wrong direction for the institution. Associate Provost Folkins noted that this review began before the recent controversy.

Director Bowsby spoke on several issues including recent searches for coaches in major sports. The university expects terrific leadership from coaches combined with appropriate values. He noted that high-profile searches are tricky because of intense public interest: two newspapers made requests under the public records law for documents describing his travel during the months of December and January.

Prof. Cox noted that corporate sponsorship is part of a coach's compensation and asserted that this situation is bound to provoke controversy. Director Bowsby agreed, stating that the base salary alone is a pretty good living. While the University is a party to contracts for outside compensation for coaches, he is troubled by the increasing size of the amounts. It resembles the "facilities arms race," in which universities compete for more attractive athletic buildings. None of this shows any signs of slowing down. Prof. Cox asked about current controversies concerning sweat shop conditions for the manufacturers of garments licensed by universities. Director Bowsby reported that the Board of Control of Athletics has raised this issue. He noted that our licensor is active in a national group and if that organization can be persuaded to act there is a reasonable likelihood of having an impact. Prof. Bishara asked whether the University receives any money from corporate sponsors. Director Bowsby answered that it does, in the form of team apparel, shoes, coaching gear, etc. This can amount to the equivalent of several hundreds of thousands of dollars annually in the case of football. The basketball team has had this kind of sponsorship from Nike for years, football from Reebok. The University now licenses 11 marks and logos, mostly athletic, and the program generates \$600,000 annually, all of which is used to support women's athletics.

Prof. Jew asked about academic standards. Director Bowsby admitted there were always challenges in this area. Men athletes have graduation rates (72% this year) that are 10-12% higher than for all students, the benchmark used to assess progress [the rate is measured in a six-year rolling window]. This performance is helped by the many support programs for student athletes and has put the University of Iowa first or second in the Big 10 for years. Prof. Jew asked about the fraction of athletes receiving financial aid. Director Bowsby responded that all the students in so-called "head count" sports receive scholarships, 60% of students in other sports. Prof. Jew wondered whether there had been any analyses done on athlete academic performance relative to their financial aid status. Director Bowsby suspected there had but in any case the men's program graduation rate statistics include almost only those athletes who had been recruited and given aid.

Prof. Wasserman said he had been amused by the contrast between addressing the retirement of a coach and that of a professor. In the latter case, the typical result was to hire a younger less experienced replacement at a correspondingly lower salary. In the former, while a younger replacement may be hired, the salary was always much higher. Director Bowsby pleaded the market as the reason: the recently hired football coach had been associated with professional football and that was the salary environment that had to be considered. He also noted that the University of Iowa has a problem with its much smaller television market and the consequent limitation on outside income for coaches. Nevertheless, he is troubled by the direction salaries are headed. Prof. Cox asked whether the concept of an "amateur student athlete" will survive. Director Bowsby averred that the problem of compensating student athletes derives from coaches' compensation packages. He admitted that critics were not off target in pointing this out. Wrestlers work as hard as football athletes so it can be argued that their scholarships should be equivalent in value. Reconciling athlete's expectations with coaches' salaries is difficult. He also noted that university athletics is not a professional enterprise, done to make money. Prof. Wasserman then explored the differences between professional baseball and football. Major league

baseball ticket prices include a fraction used to pay for farm teams. Professional football teams expect universities to be their farm teams and the state pays for the "privilege" of passing pre-professional players along. He suggested a pay-back to the university by the professional teams for each player receiving a contract. Director Bowsby stated a different vision: preparing athletes for competition in professional environments is akin to preparing them for competition in the Olympics. Neither is fundamental to the university's mission but both are highly desirable. He suggested that holding pro teams' feet to the fire might be fun but is unlikely to be productive. On a brighter note, he observed that professional basketball was considering recruiting restrictions like those now accepted by major league baseball: if a student declines to join up after high school there is no contact during the university years. Recent machinations by a U/IA student concerning professional contracts were portrayed as "absurd"; to avoid such events in the future there is a need to ask appropriate questions during the university team recruiting process.

VI. Old Business

A. Qualifications for Faculty Ranks: Bob Wiley.

Following debate in the Faculty Senate, a revised language for expectations of research productivity were added to the qualifications for full professor. It was moved by Prof. Wasserman, seconded by Prof. Kline, to accept the revised wording: "Continued artistic or scholarly achievement of high quality...".

Prof. Tachau asked whether this was raising the bar for promotion and stated her preference to do just that. She then asked whether this was the right place in the procedure to accomplish this desirable goal. Given that individual units were expected to specify the details, she had no problem with the proposed wording.

Prof. Bishara told the Council that he had been contacted by faculty colleagues with questions:

1. do the proposed qualifications apply to clinical-track faculty? Answer: they do not.
2. in the context of "If the pattern and practice of a unit deviates markedly from these norms, such units may seek approval of the provost for alternate criteria", who decides the definition of "markedly?" Answer: the Provost.

Prof. Bishara moved, Prof. Menninger seconding, to amend the preamble to replace "expected" with "required" and "may" with "must." Prof. Carlson objected, stating this would then be language that incites litigation. The motion failed on a voice vote.

3. what is the meaning of repeated uses of "as appropriate" or "as applicable"? Answer: to allow maximum flexibility to individual units for specifying the details of criteria.
4. whether it might be appropriate to move "...unmistakable evidence that the candidate is a nationally recognized scholar..." to the criteria for Associate Professor and leave "internationally recognized scholar" alone in the criteria for Full Professor.

These and many other related issues of wording were discussed.

Prof. Jew moved, Professor Wasserman seconding, to substitute "clear" for "unmistakable" in the criteria for Associate Professor, and to substitute "compelling" for "unmistakable" in the criteria for Professor. The motion to amend was passed without dissent.

The main motion to accept the now amended Qualifications for Specific Ranks (Operations Manual III-10.4) was passed with one dissenting vote. [A copy of the revised document is appended to these minutes.]

- B. Report of Faculty Senate Elections Committee (proposed Faculty Senate membership): Leon Burmeister.

The report was received and accepted by the Council.

- C. Committee on Committees recommended appointment list: Leon Burmeister.

The report was received and inspected by Councilors. Prof. Wasserman moved, Prof. Curto seconding, to endorse the list of appointments and pass it on to the Faculty Senate for approval. The motion passed without dissent.

- D. Faculty Senate Motion Summary, 1997-1998: Vice President Jonathan Carlson.

The motions passed by the Faculty Senate in the 1997-1998 year have all been acted upon by the University administration, save one. Provost Whitmore stated that this issue will be addressed in the fall semester. Prof. Kline moved, Prof. Tachau seconding, to endorse the Motion Summary and to pass it along to the Senate for approval. The motion was approved without dissent.

- E. It was moved by Prof. Kline, Prof. Jew seconding, to approve the agenda for the Faculty Senate meeting of 27 April 1999. The motion was approved without dissent.

- F. In an executive session, Councilors received a report from the nominating committees on proposed Regents' Awards and Brody Awards. It was moved by Prof. Burmeister, Prof. Curto seconding, to approve the nominations. The motion was approved without dissent.

VI. New Business

There was no new business to discuss.

VII. The meeting was adjourned at 5:25 PM.

Respectfully submitted,

John R. Menninger, Secretary