

**FACULTY COUNCIL**  
**Tuesday, October 7, 2008**  
**3:30 – 5:15 pm**  
**W401 Pappajohn Business Building**

**MINUTES**

Councilors Present: B. Justman, T. Mangum, P. Mobily, A. Morris, L. Richman, C. Ringen, G. Russell, J. Tomkovicz, R. Valentine

Officers Present: D. Drake, M. O'Hara, V. Sharp, S. Stromquist

Councilors Excused: D. D'Alessandro, L. Robertson, J. Woodhead

Councilors Absent: M. Cohen, D. Hammond, J. Reist, K. Tachau, R. Williams

Guests: J. Carlson (Office of the President), L. Cox (Office of the Ombudsperson), M. De La Peña (*Daily Iowan*), C. Drum (University Relations), S. Johnson (Office of the Provost), C. Joyce (Office of the Ombudsperson), B. Morelli (Iowa City *Press-Citizen*), R. Sayre (Emeritus Faculty Council), L. Zaper (Faculty Senate)

- I. Call to Order – President O'Hara called the meeting to order at 3:37 pm.
- II. Approvals
  - A. Meeting Agenda – Professor Richman moved and Professor Justman seconded that the agenda be approved. The motion was unanimously approved.
  - B. Faculty Council Minutes (August 20, 2008; August 26, 2008) – Past President Sharp moved and Professor Richman seconded that the minutes be approved. The motion was unanimously approved.
  - C. Draft Faculty Senate Agenda (October 21, 2008) – Professor Mobily moved and Professor Russell seconded that the draft agenda be approved. The motion was unanimously approved.
  - D. Committee Replacements (David Drake)
    - Dwight Look (Internal Medicine) to fill the unexpired term of Brian Schutte (Pediatrics) on the Senate, 2008-10
    - Jill Beckman (Linguistics) to replace Jeff Cox (History) on the Senate, Fall 2008
    - One new appointee to the Faculty Judicial Commission: John Wadsworth (Rehabilitation Counseling)
    - Michael Eckert (Music) to fill the unexpired term of Mary Trachsel (Rhetoric) on the Council on Teaching, 2008-09

- Larissa Samuelson (Psychology) to fill the unexpired term of Carolyn Brown (Speech Pathology & Audiology) on the Family Issues Charter Committee, 2008-10.
- Patricia Clinton (Nursing) to replace Astrid Oesmann (German) on the Human Rights Charter Committee, Fall 2008
- Keela Herr (Nursing) to replace Gina Schatteman (Exercise Science) on the Governmental Relations Committee, 2008-09

Professor Ringen moved and Professor Mangum seconded that the committee replacements be approved. The motion was unanimously approved.

President O'Hara noted that Exercise Science is now called Integrative Physiology, and that Speech Pathology & Audiology is now Communication Sciences & Disorders. Laura Zaper will make those change to the minutes and the draft Faculty Senate agenda.

### III. New Business

- *Proposed Revision to Chapter 15 Professional Ethics and Academic Responsibility, Section 15.4 Responsibilities to Colleagues (Lynn Richman, Chair, Faculty Policies and Compensation Committee)*

Professor Richman referred the group to the handout showing the current version and the proposed revised version of the policy, and reviewed the changes made to the policy. President O'Hara pointed out that there is also a proposed change to the title of the policy, from "Responsibilities to Colleagues" to "Responsibilities to Faculty and Staff Colleagues," as responsibilities to staff colleagues have not been addressed elsewhere, and all points in the policy could apply to staff as well as faculty.

Professor Ringen asked for clarification of the reasons for the revision. President O'Hara explained that several years ago the Office of the Ombudsperson had identified growing problems with civility between faculty and staff. At that time there was nothing in our policy addressing this issue. Policies addressing general civility are part of staff policy and are common in faculty policy at other institutions. President O'Hara had discussed this issue with many administrators who expressed concern about it. Given the lack of a specific policy, there were limits to what could be done to address problems. Based on those concerns, President O'Hara requested that Professor Kurtz draft a revision which protects the rights of faculty to engage in vigorous discourse, but also stresses that we want an environment free from the behaviors addressed here. Professor Ringen asked if this revised policy could also be applied to dishonesty. Secretary Stromquist pointed out a passage in section 15.3 addressing honesty in research and teaching, but this would not apply to interpersonal dishonesty. Past President Sharp commented that the phrase "show due respect" would seem to cover dishonesty. President O'Hara suggested that the Council approve the revised policy, then see how it operates, and revise it again if necessary. Associate Provost for Faculty Susan Johnson asked why the University Policy on Violence was referenced in the revised policy when other policies were not; several councilors thought that this reference could be eliminated. Professor Russell commented that a certain amount of ambiguity was useful in the policy. If specific activities are listed as prohibited, one might assume that those not listed are permitted. Professor Morris asked what the difference between "diversity" and "differences" was. President O'Hara indicated that "diversity" refers to gender, ethnicity, etc., while "difference" refers to differences of opinion. Professor Mangum commented that she preferred the straightforwardness of the original version; the policy cannot anticipate

every possible nuance. Associate Provost Johnson stressed that the phrase, “not use threatening, intimidating, or abusive language; and not engage in conduct that creates a hostile work environment” should be left in the revised policy; the other updates are not as crucial and are generally covered by other policies. President O’Hara commented that both the Office of the Ombudsperson and the Office of the Provost had been requesting a revision for some time.

During further discussion, the Council decided to simplify the revision:

#### § 15.4 RESPONSIBILITIES TO FACULTY AND STAFF COLLEAGUES.

The faculty member has obligations that derive from common membership in the community of academics. The faculty member respects and defends the free inquiry of others and avoids interference with their work. In the exchange of criticisms and ideas, the faculty member should show due respect for the rights of others to express differing opinions. However, vigorous debate and criticism are not to be viewed as a lack of respect. The faculty member refrains from personal vilification; threatening, intimidating, or abusive language; or conduct that creates a hostile work environment. The faculty member acknowledges contributions of others to the faculty member's work. When asked to evaluate the professional performance of another, the faculty member strives to be objective.

A faculty member should treat other members of the University community with appropriate respect.

Professor Morris moved and Professor Mobily seconded that the Revision to Chapter 15 Professional Ethics and Academic Responsibility, Section 15.4 Responsibilities to Colleagues be approved as amended. The motion was unanimously approved.

- *Updates to Honorary Degree policies (Catherine Ringen, Chair, Awards and Recognition Committee)*

Professor Ringen explained that the Awards and Recognition Committee was asked by the Honorary Degree Committee to revise the original policies and procedures developed for conferring honorary degrees. Professor Ringen referred the Council to the handout, which indicated the changes made by her committee.

Past President Sharp asked about the number of letters required. Professor Ringen explained that the Honorary Degree Committee did not want to be overwhelmed with letters, while the Awards and Recognition Committee thought that at least three letters should be provided. The phrase “between three and four supporting letters” was the compromise wording.

Past President Sharp moved and Professor Richman seconded that the updates to the Honorary Degree policies be approved. The motion was unanimously approved.

- *Office of the Ombudsperson annual report (Lois Cox, Cynthia Joyce)*

Lois Cox referred the group to the last (summary) page of the *Office of the Ombudsperson 22<sup>nd</sup> Annual Report*. She explained that the Office had a total of 424 visitors in 2007-08. This number is significantly larger than in previous years because

the Office changed the way in which visitors are counted. If there is contact by phone or email, rather than by an in-person visit, and the contact results in significant work, then that contact was counted as a "visit." The breakdown in percentages of student, staff, and faculty cases remains constant (27% students, 52% staff, 16% faculty, and 5% other). The Office held 77 presentations/workshops this year. Primary staff concerns were job conflicts (65%), student concerns were academic (43%), and faculty concerns were job conflicts (55%), which is not unusual.

Cynthia Joyce reminded the group that the Office sees a small number of clients. She described the trends that emerged in the past year: an increase in undergraduate disciplinary concerns; a rise in graduate student non-academic concerns; an increase in faculty concerns about academic issues with a drop in faculty concerns about tenure, promotion, and salary; a continued increase in cases involving possible discrimination, including 9 complaints (a surprisingly large number) about possible discrimination due to disabilities. There were 52 cases involving uncivil or disrespectful behavior, which is a large jump over the previous year. The Office has had a longstanding concern about faculty disrespectful behavior.

Professor Valentine asked for a definition of a job conflict. Professor Cox said job conflicts for faculty involve people not getting along with their colleagues or their DEO. Vice President Drake asked if the jump in disrespectful behavior was cyclical or if there was a steady increase. Ms. Joyce responded that it was a steady increase. Vice President Drake noted that this was alarming.

Professor Cox described the "concerns" section of the summary page as types of issues on which the Office spent a significant amount of time. The first of these concerns was supervisory feedback, specifically performance evaluations and difficult conversations. Generally these were staff performance evaluations, which are sometimes done by faculty. Clients indicated they were not being allowed to or specifically discouraged from responding in writing to evaluations (which is provided for by the *Operations Manual*). Regarding difficult conversations, people dread delivering bad news and perhaps do it badly. The Office of Human Resources offers structured advice on how to have a difficult conversation. The Office of the Ombudsperson is available to assist those preparing to initiate difficult conversations, also. Another concern was treatment of staff and faculty in transitional employment situations. Staff concerns included unsuccessful job applicants who are not notified when hiring decisions are made. Also, staff probationary periods are very long; two years is the standard for P&S employees. Furloughed employees are also a staff concern. Faculty members denied tenure are sometimes treated like pariahs. Faculty and staff members who have resigned, after working on grants or doing interdisciplinary work, may find that their colleagues resent their resignation. They may also fear that they won't be recognized for work done and that they won't be able to continue collaborative relationships. Student trends include the transparency of the undergraduate student disciplinary procedures and the graduate student conflicts mentioned above.

Professor Cox indicated that the Office sends out online evaluations at the end of every semester. There was a response rate this year of 54%, with 72% positive responses and 49% of respondents reporting the acquisition of skills that will be helpful in resolving future problems.

Ms. Joyce stated that the Office now has a website on conflict management resources, [www.uiowa.edu/~confmgmt](http://www.uiowa.edu/~confmgmt). She requested that councilors take a look at the website, and send any suggestions you may have for improvement to the Office.

Professor Cox added that each year the Office picks a theme; this year that theme is outreach to students. They are the most transient group in the university, and they probably constitute a smaller percentage of Office visitors than they should; please let your students know about the Office.

Professor Richman commented that recently Human Resources had expressed concern about too many staff receiving a 4 or 5 out of a possible 5 point score on their evaluations, and therefore made it more difficult to rate staff at a 4 or 5. Staff members who have previously received these higher scores may be upset to now receive a 3, which is still a good score.

President O'Hara asked how frequently the Office is able to bring an issue to a successful resolution, rather than just act as a sympathetic listener. Ms. Joyce responded that sometimes the Office can bring issues to a successful resolution, sometimes they try to do this but are unable to, and sometimes clients just want a sympathetic ear. Professor Cox added that if a successful resolution meant bringing an issue to the client's desired conclusion, then the rate was probably less than half. However, the Office is usually able to offer a client options. Ms. Joyce commented that people appreciate being listened to and treated respectfully, and being informed of their options, even if the Office cannot improve the outcome of a situation. Professor Cox stressed that people should come to the Office sooner rather than later, as the range of options is much larger early on.

President O'Hara asked what the threshold should be for someone to come to the Office rather than pursue established channels. Professor Cox and Ms. Joyce responded that these two options can be pursued simultaneously. Professor Mobily asked how widely the annual report is distributed, as the university community seems not to be as aware of these trends and concerns as it should be. Ms. Joyce and Professor Cox responded that they are engaged in a constant awareness struggle. They have been considering sending out a mass email to the entire university community with a link to the annual report.

#### IV. Announcements

- The next Faculty Senate meeting will be Tuesday, October 21, 3:30 – 5:15 pm, Senate Chamber, Old Capitol.
- The next Faculty Council meeting will be Tuesday, November 18, 3:30-5:15 pm, Penn State Room, 337 IMU.

#### V. From the Floor

President O'Hara announced that he would like to discuss an issue in closed session.

Professor Richman moved and Professor Russell seconded that the Council move to closed session. The motion was unanimously approved.

The Council discussed events that occurred following the release of the Stolar Report.

Professor Morris moved and Professor Mangum seconded that the Council move to open session. The motion was unanimously approved.

VI. Adjournment – Professor Russell moved and Professor Richman seconded that the meeting be adjourned. The motion was unanimously approved. President O'Hara adjourned the meeting at 5:15 pm.