

FACULTY COUNCIL
Tuesday, November 16, 2010
3:30 – 5:15 pm
Seminar Room (2520D), Old Capitol Centre

MINUTES

Councilors Present: M. Billett, S. Clark, J. Cox, S. Kurtz, P. Mobily, J. Murph, N. Nisly, G. Penny, K. Sanders, J. Schoen, R. Valentine, E. Wasserman.

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

Councilors Excused: D. Black, L. Robertson.

Councilors Absent: D. Bonthius, J. Reist, S. Wilson.

Guests: E. Altmaier (Faculty Athletics Representative), G. Dodge (Chief Diversity Officer), M. Forys (Librarian Review Committee), D. Heldt (*Gazette*), S. Johnson (Ombudsperson), E. Jones (Librarian Review Committee), C. Joyce (Ombudsperson), L. Larson (University Relations), T. Rice (Office of the Provost), R. Sayre (Emeritus Faculty Council), A. Sullivan (*Daily Iowan*), L. Zaper (Faculty Senate).

I. Call to Order – President Dove called the meeting to order at 3:30 pm,
<http://www.uiowa.edu/~facsen/archive/documents/Agenda.FacultyCouncil.11.16.10.pdf>.

II. Approvals

- A. Meeting Agenda – Professor Clark moved and Professor Schoen seconded that the agenda be approved. The motion carried unanimously.
- B. Faculty Council Minutes (October 5, 2010) – Past President Drake moved and Professor Mobily seconded that the minutes be approved. The motion carried unanimously.
- C. Draft Faculty Senate Agenda (December 7, 2010) – Professor Schoen moved and Professor Murph seconded that the agenda be approved. The motion carried unanimously. Professor Cox commented that some faculty members had approached him with concerns regarding the overall impact of changes in benefits that had taken place over the past few years; these changes range from the decrease in university contributions to TIAA-CREF to a reduction in the disability benefit, leading to a loss in value of the total compensation package. He requested that a presentation be made to the Senate regarding this issue. Professor Kurtz, faculty co-chair of the Funded Retirement and Insurance Committee, will convey this request to the appropriate individuals.
- D. Committee Replacements (Richard Fumerton, Chair, Committee on Committees)

- Raymond Kuthy (Preventive and Community Dentistry) to fill the unexpired term of Samir Bishara (Orthodontics) on the Faculty Senate, 2010-11

Professor Kurtz moved and Past President Drake seconded that the replacements be approved. The motion carried unanimously.

- E. Faculty Senate Elections Vacancy Tally (Richard Fumerton) – Professor Fumerton announced that there will be 33 Senate positions and 8 Council positions to be filled in the election cycle that will begin with nominations on January 28. He requested that Councilors encourage colleagues to nominate themselves and have others nominate them. Professor Penny moved and Professor Schoen seconded that the vacancy tally be approved. The motion carried unanimously. Professor Wasserman requested that information be provided regarding the number of clinical-track faculty in the voting pool for each college, as well as the number of clinical-track faculty serving in the Senate.

III. New Business

- *Report of the Faculty Athletics Representative (Elizabeth Altmaier, Psychological and Quantitative Foundations)*

Professor Altmaier explained that she is in the last year of a ten-year term as UI Faculty Athletics Representative (FAR). She stated that the Senate had been “sowing soybeans but trying to harvest corn;” in other words, “sowing neglect but trying to harvest involvement [in athletics issues].” She added that neither she nor any person(s) appointed by President Mason could fully represent faculty interests regarding athletics. She urged the Council and Senate to take a more active interest in athletics issues than has been exhibited in the past and added that she did not mean her comments to be taken as criticism of any past or present members of the President’s Committee on Athletics (PCA). Professor Altmaier went on to discuss three issues of particular concern. The first of these issues was the status of the PCA. The PCA’s charter as it currently stands makes the committee advisory to the university president, leading to a lack of clarity about whether certain PCA policy statements are binding. For example, there recently arose a situation regarding a student athlete possibly exceeding the limit recognized throughout the Big Ten for missed class days. While the PCA has stated that this limit is eight days, the matter was nevertheless referred directly to President Mason for resolution. She suggested that the Council clarify with President Mason the exact role of the PCA. In response to a question from Professor Kurtz, Professor Altmaier indicated that the change to the PCA’s charter had taken place during the presidency of David Skorton. It was unclear how this could have happened, since charter changes must come before all the shared governance bodies for approval.

The two other issues, both long-term, that Professor Altmaier addressed were facilities and gender equity. She commented that PCA has been systematically excluded from considering athletics facilities. Regarding gender equity, she stated that UI was the most discrepant Big Ten institution in terms of gender proportionality. There had been a plan to correct this put into place following the last certification report, but that plan was subsequently changed. In response to a question from President Dove, she explained that the UI is 10% discrepant. A university must award scholarships to student athletes based on the proportion of male and female students at the institution overall. Professor Altmaier indicated that these two issues were

illustrative of how little input the faculty have regarding athletics. She stressed again that the Faculty Athletics Representative must have the full support of the Faculty Senate in order to do his/her job.

Vice President Fumerton asked about the Faculty Athletics Representative's role within the PCA. Professor Altmaier responded that the FAR is a voting member of the PCA; however, given that she has served as the FAR for ten years, she seeks out contacts, as necessary, independently of the PCA. Questions regarding the PCA's ease of access to key individuals should be directed to the chair of the PCA. Concluding her presentation, Professor Altmaier urged that senators stay as informed on athletics issues as they do on other issues such as benefits reform and post-tenure review. Mechanisms to do this might include inviting the PCA chair to periodic appearances before the Council and Senate.

- *Report of the Office of the Ombudsperson (Cynthia Joyce and Susan Johnson, Ombudspersons)*

Ms. Joyce referred the group to the last, summary page of the *Office of the Ombudsperson 2009-2010 Annual Report*. She indicated that the Office had received 517 visitors from July 1, 2009 to June 30, 2010, an increase of 6% over the same time period the previous year. She noted that the term "visitors" is used by the ombudsperson professional association because it does not denote any advocacy. The percentages of types of visitors have remained constant, with faculty representing 17.2% of visitors, staff 48.0%, and students 30.0%. Parents, alumni, patients and various others represented 4.8% of visitors. Ms. Joyce pointed out that students are the most underrepresented group of visitors, in proportion to their presence on campus. Outreach to students, especially to undergraduates, has been a challenge for the Office. The Office sees just over 1% of the population of the entire university, a figure consistent with the experiences of organizational ombudspersons around the country.

In describing primary visitor concerns, Ms. Joyce explained that for all groups of faculty, staff and students, supervisory relationships comprised the largest percentage of concerns (for faculty, supervisors would include DEO's and other administrators). For faculty the next two largest areas of concern were career progression and peer relationships. For staff the next largest category of concern was peer relationships; for undergraduates it was policy violations; and for graduate/professional students areas of concern in descending order were administrative decisions, peer relationships, and career/academic progression. Regarding visitor demographics, 19% of visitors were racial/ethnic minorities and 61% were female. These two percentages are higher than the percentages of these groups as a whole on campus. Forty-five visitors had concerns about discrimination and harassment, including concerns relating to sexual misconduct/harassment and disabilities.

Ms. Joyce commented that the rise in visitor complaints involving disrespectful behavior (from 17% last year to 22% this year) was of concern to the Office. This rise is consistent across groups of visitors and follows a national trend reported by universities and other types of workplaces. Examples of disrespectful behavior include yelling, swearing, name-calling, shunning, slamming doors and throwing things. Ms. Joyce added that the Office had begun tracking reports of bullying and indicated that 10% of cases involved accusations of bullying.

President Dove asked if any reasons for the increase in disrespectful behavior could be identified. Ms. Joyce responded that the increase at UI mirrors a national trend. Professor Murph asked how UI's statistics compare to other Big Ten schools. Professor Johnson responded that other institutions' data are not currently accessible to the Office, although most of the other schools have ombudspersons and perhaps some kind of information-sharing could be arranged in the future. Professor Murph suggested that the Office contact the local high schools regarding their experiences dealing with bullying.

Discussion turned to the issue of inappropriate classroom behavior. Professor Wasserman commented that students texting during class rather than paying attention to the speaker could be construed as a form of disrespectful behavior. He asked if any orientation was provided to students regarding appropriate classroom behavior. Ms. Joyce responded that she was not aware of any, but added that an instructor, or any supervisor, could set standards regarding appropriate behavior in the classroom or workplace. Professor Schoen added that in her college such standards, as well as faculty response to infractions, were set by the college rather than the instructor. Professor Johnson commented that a widely-accepted uniform set of standards regarding expectations of student behavior in the classroom has not yet been determined.

Vice President Fumerton asked whether the Office conducts an internal assessment to determine whether allegations of disrespectful behavior are legitimate. Professor Johnson explained that this is a label the Ombudspersons assign to an allegation after speaking with a visitor; that terminology is not necessarily used by the visitor. Professor Murph asked how a determination is made regarding whether a threshold has been crossed in a situation of disrespectful behavior or bullying and institutional action is required. Professor Johnson responded that one threshold would be the violation of a university policy (such as the ethics policy); action could be taken by the institution if this has occurred. President Dove asked for suggestions regarding what could be done to reduce the number of incidents of disrespectful behavior. Ms. Joyce responded that she would like to see a culture in which individuals would feel free to speak up when they witness disrespectful behavior. Professor Johnson added that individual departments need to set expectations regarding workplace behavior.

Professor Johnson continued the presentation by indicating that each year the report highlights specific concerns. This year's concerns include cross-cultural challenges, feedback, email, and social media. Regarding cross-cultural challenges, she noted that differences in communication styles (a more indirect, typically "Midwestern" style vs. a more direct style) could be a cause for conflict. For faculty, feedback relates to annual reviews and the confusion that can arise when feedback is misinterpreted or surprisingly (to the reviewee) negative. Email has been a cause of concern because individuals will sometimes use hostile or rude language in email messages that they would not use in person, while individuals may use social media to present co-workers in an unfavorable light. Professor Johnson then indicated that the Office held a series of workshops on conflict management and other topics. She concluded the presentation by noting visitor evaluation of the Office; there was a 43% response rate to post-visit evaluations and 77% of those responses were positive.

Professor Cox observed that over the years students of conservative religious or political views have expressed the opinion that they were somehow discriminated against in class, perhaps through ridicule of their views. Ms. Joyce responded that in the past this has been an issue, but it has not surfaced lately. Professor Murph asked if students are given advice on the proper use of social media, given the possible consequences of inappropriate material appearing on social media. Professor Kurtz commented that he warns his students about the career dangers of inappropriate use of social media.

- *University Librarian Review Committee (Ellen Jones and Marsha Forys, Librarians)*

Ms. Forys explained that she and Ms. Jones are serving on the committee charged by the Provost with the five-year review of University Librarian Nancy Baker, who undergoes periodic reviews similar to the reviews of deans. Professor Wilfrid Nixon of Civil and Environmental Engineering chairs the review committee. She further explained that the review committee is interviewing groups and individuals to gather feedback on Ms. Baker's performance. The two librarians appeared before the Council to inform the group that the review is underway, to request that Councilors spread the word to their colleagues and to encourage faculty to contact the review committee with feedback on Ms. Baker's performance. It was suggested that a mass email message be sent to all faculty notifying them of the opportunity to offer feedback. Councilors also commented that it is better to call review committee members with feedback rather than to email them.

- *Research-Track Promotion Policy (Ed Dove)*

President Dove reminded the group that the Faculty Senate had approved the establishment of a research track for faculty in 2008. The Faculty Senate will review the research-track in 2013, while President Mason will conduct her own review in 2011. There are currently 24 research-track faculty. Only two colleges have instituted a research track thus far, the Carver College of Medicine and the College of Public Health. A draft policy, created by the Provost's Office, for research-track promotion procedures had been posted on that office's website. The Faculty Senate's Faculty Policies and Compensation Committee reviewed this draft and made some minor changes. The policy is now being presented to the Council for review.

Professor Cox asked if President Dove was convinced that the policy guarantees due process; President Dove responded that he was convinced. Professor Cox further asked what options were available to research-track faculty members if they believe that they have been treated unfairly by DEO's in the administration of grants, since research-track faculty do not have access to the grievance procedure; could they turn to their granting agencies for assistance? President Dove responded that granting agencies usually do have their own guidelines on these matters.

Professor Wasserman noted that faculty had spent much time determining the criteria for promotion for tenure-track and tenured faculty. He asked if similar criteria had been created for the research-track faculty, commenting that this group had not been able to participate in this creation process. It was determined that those specific criteria are not included in this document, but in the Operations Manual and in collegiate documents. It was pointed out that a link to those criteria in the Operations Manual is included in this promotion policy and that this policy is modeled on the clinical-track promotion policy. Nevertheless, Councilors urged that information on specific promotion criteria be provided for a future Council discussion of this policy, before the policy is sent to the Faculty Senate. There was also concern expressed about the composition of the Departmental Consulting Group.

- *Post-Tenure Review Policy (Ed Dove)*

President Dove reminded the Council that a draft version of the post-tenure review policy had been endorsed at the October 5 Council meeting and had then been given a first reading at the October 19 Senate meeting. President Dove then presented the draft policy to the Council of Deans on October 20. He also met with the dean and associate deans of the Tippie College of Business at their request to discuss the policy and he received feedback from an associate dean in the Carver College of Medicine. The accumulated suggestions from all of these groups and individuals were incorporated into a revised version of the policy that President Dove was now putting before the Council for approval. Those changes were indicated in the tracked-changes version of the policy presented to the Council. President Dove pointed out substantial edits to the document since the last Council meeting. These edits included statements that peer reviewers should come from the same college as the faculty member reviewed; that faculty members will approve their collegiate post-tenure review policies by vote; that it is the Dean who, on advice of the peer review committee and in consultation with the DEO, concludes that performance has fallen below standard; and that progress on an improvement plan be monitored through the annual review (this change was made in response to concerns that another five years was too long of a time period given to a faculty member to improve). Some additional wording changes were the substitution of “If the faculty member believes that there are grounds for grievance” for “that the review process has been unfair” and the elimination of the parenthetical expression “whether success has been met in publishing such work or not.”

Noting that some colleges do not have DEO’s, Professor Kurtz suggested that acknowledgement of this fact be made in line 80. Vice President Fumerton offered this alternative, “the Dean, on advice of the peer review committee and in consultation with the DEO, if one exists, concludes...” Professor Kurtz also spoke in favor of the word “substantial” in the phrase, “who have had no work in progress for a substantial period of time;” the College of Medicine had found this word too vague. He felt that the word captured the variety of expectations among disciplines. Professor Nisly offered the word “appropriate” as a possible alternative. Professor Cox commented upon the addition of the sentence stating that the DEO and/or dean may monitor progress via the annual review, noting that in fact DEO’s can monitor faculty at any time.

Professor Wasserman called this version of the policy “a dramatic improvement” over the version previously presented to the Faculty Council and Senate and he praised the Faculty Senate officers and the Faculty Policies and Compensation Committee for their responsiveness to faculty concerns about previous versions of the policy.

Professor Wasserman moved and Professor Kurtz seconded that the revised post-tenure review policy be approved and passed to the Faculty Senate for consideration. The motion carried unanimously.

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

V. Announcements

- President Dove thanked Professor Wasserman for his service on the Faculty Council this semester in place of Professor Morris, who will return to the Council in the spring.
- The next Faculty Senate meeting will be Tuesday, December 7, 3:30-5:15 pm in the Senate Chamber of the Old Capitol.
- The next Faculty Council meeting will be Tuesday, January 25, 3:30-5:15 pm in the Seminar Room (2520D) of the University Capitol Centre.

- The annual Faculty Senate/Iowa City Area Chamber of Commerce reception for local legislators will be held on Tuesday, December 14, 4:30-6:00 pm in the Old Capitol.
- Professor Cox announced that the Executive Committee of the local chapter of the American Association of University Professors would be meeting with local legislators soon. He invited Councilors to attend or to convey to him any comments or questions for them.

VI. Executive Session

Past President Drake moved and Professor Nisly seconded that the Faculty Council move to executive session. The motion carried unanimously.

The Faculty Council discussed confidential personnel issues.

Past President Drake moved and Professor Nisly seconded that the Faculty Council move out of executive session. The motion carried unanimously.

VII. Adjournment – Professor Kurtz moved and Past President Drake seconded that the meeting be adjourned. The motion carried unanimously. President Dove adjourned the meeting at 5:15 pm.