

FACULTY COUNCIL
Tuesday, December 1, 2015
3:30 – 5:15 pm
Executive Boardroom (2390), University Capitol Centre

MINUTES

Councilors Present: C. Benson, S. Daack-Hirsch, E. Gillan, J. Kolker, P. Muhly, S. Vos, J. Wilcox.

Officers Present: C. Bohannon, P. Snyder, A. Thomas, T. Vaughn.

Councilors Excused: P. Brophy, S. Campo, G. Ryan, M. Voigt, J. Yockey.

Councilors Absent: S. Ali, S. Seibert, H. Udaykumar.

Guests: D. Finnerty (Office of the Provost), K. Kregel (Office of the Provost), L. Zaper (Faculty Senate Office).

I. Call to Order – President Bohannon called the meeting to order at 3:35 pm.

II. Approvals

- A. Meeting Agenda – Professor Wilcox moved and Professor Gillan seconded that the agenda be approved. The motion carried unanimously.
- B. Faculty Council Minutes (November 17, 2015) – Professor Muhly moved and Professor Vos seconded that the minutes be approved. The motion carried unanimously.
- C. Draft Faculty Senate Agenda (December 8, 2015) – President Bohannon noted that some additional items for approval were added to the draft Senate agenda since the last Council meeting. Professor Kolker moved and Professor Benson seconded that the revised draft agenda be approved. The motion carried unanimously.
- D. Committee Appointments (Tom Vaughn, Chair, Committee on Committees)
 - Tong Li (Mathematics) to replace Teresa Treat (Psychological & Brain Sciences) on the Faculty Senate, Spring 2016
 - Bruce Ayati (Mathematics) to replace Paul Muhly (Mathematics) on the Faculty Senate, Spring 2016Professor Vos moved and Professor Gillan seconded that the appointments be approved. The motion carried unanimously. Vice President Vaughn noted that faculty members are being sought to fill current vacancies on the Faculty Staff Parking Appeals Committee and the Student Publications Board. Because this was Professor Muhly's last Council meeting, President Bohannon thanked him for his service.
- E. Faculty Senate Elections 2016 Vacancy Tally – Professor Wilcox moved and Professor Vos seconded that the 2016 Vacancy Tally be approved. The motion carried unanimously. Professor Wilcox remarked upon the large number of voting faculty members in the Carver College of Medicine (CCOM). Past President Thomas

reminded the group of the cap on the number of clinical-track faculty in the Senate; this Senate cap is independent of the proportion of clinical-track faculty members in each college. Councilors observed that more faculty are being brought into the CCOM through the acquisition of private practices, although it was unclear what faculty status those physicians would eventually have. Professor Wilcox commented that the number of voting members in the College of Liberal Arts and Sciences would rise if lecturers are eventually granted voting rights in the Senate.

III. New Business

- *Lecturers Policy*

President Bohannon indicated that she was not expecting the Council to take a vote on this draft policy today; rather, this would be an opportunity for the Council to discuss the draft policy in depth, potentially leading to additional revisions to the draft. President Bohannon envisioned a vote on the policy taking place at the January 26 Council meeting and a Senate vote taking place at either the February 16 or March 22 meeting.

Reminding the group that several years ago the Senate had charged the Lecturers Committee with producing a report regarding issues of concern to lecturers on campus, President Bohannon explained that lecturers are heavily involved in the teaching enterprise, but also often have service duties in their departments. The Lecturers Committee report, presented last spring, described issues that Faculty Senate could address, along with issues that were best handled by the Provost's Office. Among the former are promotion and Senate representation; among the latter are workload and compensation. Although some lecturers may have been at the university for many years, none have job security. They need to be reappointed each year with no guarantee that they will be. This lack of stability is of primary concern to lecturers. In the report, lecturers also expressed a desire for representation on Faculty Senate (they do not currently have representation on any university-wide shared governance body) and for access to grievance procedures.

President Bohannon went on to explain that meanwhile, the deans have expressed an interest in establishing a professor of practice or professor of instruction track, to meet specific needs within their colleges. The deans developed a draft policy for this track based upon the clinical track. The Faculty Senate officers had concerns, however, that this proposed new track could evolve into a career-status, tenure-track-like entity that was focused solely on teaching. They also did not see fundamental differences between this proposed track and the existing lecturer track. Working with the deans and the Lecturers Committee, the Faculty Policies and Compensation Committee (FPCC) took up the task of reviewing and revising the initial instructional faculty policy draft created by Diane Finnerty in the Provost's Office and President Bohannon, and incorporating aspects of the dean's proposed policy into it. Part of this compromise involved the creation of three distinct ranks of instructional faculty: lecturer, senior lecturer, and professor of instruction/practice. FPCC is still continuing this work, but the draft is now developed enough for the Council to engage in productive discussion about its key points.

Professor Wilcox expressed a generally favorable response to the draft policy. He noted that many faculty fear the erosion of the tenure track through increased hiring of lecturers.

Nevertheless, the existence of lecturers cannot be denied and the university should codify the rules under which they work. Professor Wilcox approved of the three-rank structure and the terminology used for each rank. However, he expressed surprise that several times in the policy mention is made of instructional faculty being considered for promotion after six years of service in a rank. While this is appropriate for tenure-track faculty, who must leave the university if they are not promoted, it seems unnecessary for a lecturer track, an advantage of which is that one could stay at a rank indefinitely. President Bohannon explained that the draft policy strives to balance concerns about potential threats to the tenure track with the need to treat lecturers well. She added that the six-year language is in the policy because lecturers wanted a guarantee that departments would consider lecturers for promotion at some point, rather than keeping them at the lowest rank indefinitely. Professor Wilcox suggested that a clear statement be made indicating that a lecturer is not *required* to be reviewed for promotion. Councilors suggested that the structure of lines 55-6 [section c.(1)(a)] be adjusted so that it reads *If the Lecturer so requests, a college shall review a Lecturer for promotion in his or her sixth year of service...*

Professor Wilcox also remarked upon lines 67-9 [section c.(1)(b)], *However, an instructional faculty member **or other faculty member** may be reviewed for promotion to the rank of Senior Lecturer at any time...* He questioned whether, for example, a tenure-track professor unlikely to receive tenure could apply to be a senior lecturer. Ms. Finnerty commented that there would be no guarantee that such an applicant would get the senior lecturer job. Professor Gillan noted that later in the policy provision is made for one track switch. Professor Wilcox nevertheless found this concept odd. President Bohannon commented that she could envision a situation in which a faculty member on another track would apply for a senior lecturer position, but she suggested that the phrase be stricken. Professor Wilcox asked whether the sentence *Review for promotion into this rank typically would occur during the sixth year of service at the rank of Lecturer* [lines 65-7, section c.(1)(b)] implied that review would take place during the twelfth year of service for part time Lecturers. Ms. Finnerty responded that this is the usual interpretation of such a statement in other policies. Professor Gillan suggested perhaps moving section d. *Qualifications for specific ranks* ahead of c. *Hiring and Terms of Appointments*, in order to give some information about each rank before discussing the promotion process. Ms. Finnerty noted that this was the standard order in other faculty track policies, allowing for the introduction of each rank before discussing the qualifications for each rank.

Professor Wilcox praised language in b. *Role of instructional faculty* allowing for *some* service functions but prohibiting instructional faculty from engaging *primarily* in service activities rather than teaching activities. He suggested making the same point about research, scholarship, and artistic creation – that such activity is permitted and even encouraged, but that it is not a requirement for appointment or promotion. President Bohannon referred the group to lines 282-5 [section i.(1)(f)], *Research, scholarship, or artistic creation shall not be a requirement for appointment, reappointment, or promotion but, if present, may be considered as evidence of professional productivity*. She went on to say that the FPCC has struggled with the issue of whether and how research/scholarship/artistic creation is valued for lecturers because it is research activity that separates tenure-track faculty from instructional faculty. She

speculated that there might be resistance to allowing research to count towards promotion for instructional faculty for this reason. This would be similar to the resistance encountered to allowing research-track faculty to teach. President Bohannon explained that lecturers had strongly urged FPCC to allow for some research and for that to count in some way to be determined between the college and the instructional faculty member. She expressed support for this viewpoint as beneficial for the university because it increases the overall research output, but realized the challenges it presented for thinking conceptually about the differences between tenure-track and instructional faculty. Professor Daack-Hirsch raised concerns that the teaching mission of a college could be impacted if lecturers spend too much time on research. President Bohannon stressed that section i. *Collegiate policies and guidelines* requires that each college *develop its own written policy statement* addressing several points, one of which is *service and/or professional productivity*.

Professor Gillan asked what relation this instructional faculty policy would have to the fixed-term faculty policy already in the Operations Manual (<http://opsmanual.uiowa.edu/human-resources/faculty/fixed-term-faculty-appointments>). Ms. Finnerty commented that the latter policy would likely remain, to cover adjuncts, associates, and visiting faculty. Professor Daack-Hirsch asked about the educational qualifications for each rank [section d.], *Terminal degree (or its equivalent) appropriate to the field*. Does this mean that the Ph.D. will be required across campus for lecturers? Professor Gillan asked if current lecturers without terminal degrees would be moved to a different status. President Bohannon responded that this is one of the issues left to colleges to resolve in their written policy statements [lines 274-6, section i.(1)(e)]. After some discussion the group decided that the phrasing for educational requirements for all ranks should read *Terminal degree or other educational qualifications appropriate to the position*. Professor Wilcox asked for clarification of lines 323-4 in section j. *Representation in Faculty Senate*, regarding whether the Senate has allowed instructional faculty to participate in the Senate. President Bohannon responded that in order for this to happen, the Senate constitution would need to be revised, a lengthy process that would culminate in Regent approval. A short-term solution would be for the Faculty Senate Committee on Elections to recommend allowing instructional faculty to participate in the Senate; this is how research-track faculty have acquired Senate representation.

Professor Gillan observed that while this draft policy elevates lecturers to instructional faculty, it gives them a separate procedure for the resolution of disputes. President Bohannon explained that the Faculty Dispute Procedures, open to tenure-, clinical- and research-track faculty, are a very lengthy, complicated, trial-like process. Faculty members continue to receive a salary during and somewhat after the process. The General Counsel's Office has many concerns about this existing process and hopes that the Faculty Dispute Procedures can be revised in the near future. The Faculty Dispute Procedures were created when there were only tenure-track faculty on campus and were designed to protect tenure. The Procedures are resource-intensive and do not fit instructional faculty well. President Bohannon expressed the opinion that the more we increase the costs of hiring instructional faculty, the more incentive deans will have to keep instructional faculty on one-year temporary contracts. Professor Gillan questioned the necessity to develop a separate grievance procedure for only one type of faculty. He commented that this alternative procedure should apply to all contract-based faculty, i.e., instructional

faculty, research-track faculty, and clinical-track faculty. In the interest of efficiency, he suggested creating a standing committee that would deal with all grievances, rather than creating a new review panel for each case. Secretary Snyder pointed out that new panels are created in the Faculty Dispute Procedures for each case because potential panelists are eliminated due to various conflicts of interest.

Councilors noted that because lecturers have not had access to any type of grievance procedures before, there might be pent-up demand leading to a large number of new cases, at least initially. President Bohannon reminded the group that, under the existing Faculty Dispute Procedures, the university is obliged to pay a salary to the faculty member filing the complaint during and for some time after the process. For a lecturer on a short contract, this is not financially feasible. She acknowledged the preference to treat all faculty the same, however. She and Vice President Vaughn commented that, in order to provide instructional faculty with a viable grievance procedure, we are faced with a choice between waiting until the Faculty Dispute Procedures are revised or including a separate procedure in the Instructional Faculty Policy. President Bohannon posed the question, would revised Faculty Dispute Procedures likely bear a resemblance to this proposed process for instructional faculty? Professor Gillan expressed reservations about having a dean form the review committee, although President Bohannon pointed out that this must be done in consultation with the Associate Provost for Faculty. Professor Gillan found, nevertheless, that the dean would have extensive influence over the process. President Bohannon responded that the draft policy could be adjusted to address this concern. She commented that if we choose to open the Faculty Dispute Procedures to instructional faculty now, we likely cannot close them to instructional faculty at a later date, just as we cannot now withdraw access to the Procedures for clinical-track or research-track faculty.

Professor Daack-Hirsch raised the concern that this separate grievance procedure for instructional faculty could lead to the perception that their procedure was somehow inferior to the Faculty Dispute Procedures and provided a lower level of protection. President Bohannon responded that in her conversations with lecturers, she did not get this impression. On the contrary, the lecturers seemed pleased to have access to their own procedure; they understood that the Faculty Dispute Procedures were geared towards tenure-track faculty. President Bohannon acknowledged that the Faculty Dispute Procedures do provide an exceptionally high level of protection for the grievant; nevertheless, there are serious resource allocation issues to be considered. She went on to say that the FPCC had considered allowing those instructional faculty with greater years of service access to the Faculty Dispute Procedures, while those with fewer years of service would have access to this separate grievance procedure. Professor Gillan reacted favorably to this suggestion, noting that length of service implies a greater commitment between the university and the instructional faculty member. Vice President Vaughn commented that this distinction could be applied to all of the faculty tracks. Professor Daack-Hirsch, on the other hand, did not find it fair to have two types of grievance procedures. President Bohannon commented that it was difficult to find a solution that would adequately cover the range of individuals included among instructional faculty. Some instructional faculty are only here for a year, while others have been here many years and are fully part of the community.

Secretary Snyder raised the issue of what kind of grievances would be filed by instructional faculty members. A significant portion of grievances filed by tenure-track faculty involve denials of tenure. The types of grievances that instructional faculty members might be inclined to file may not require such an exhaustive process. Also, the Faculty Dispute Procedures cover only a specific list of disputes. Ms. Finnerty suggested indicating that the grievance process described in the draft policy is provisional. This would postpone a final decision on whether instructional faculty should have access to the Faculty Dispute Procedures perhaps until the Procedures have been revised. Vice President Vaughn noted that the draft policy provides for a review *no later than five years following its implementation*. It could be determined by then how effective this separate grievance procedure turns out to be. Professor Gillan suggested that section k. *Review of this policy* specifically state that the instructional faculty dispute procedures must be reviewed. Professor Vos concurred.

Professor Muhly praised the draft policy for the additional protections provided to lecturers who are already here. He raised concerns, however, that the instructional faculty track might turn into a “tenure track lite.” He recalled that when the clinical track was implemented, there was an understanding that it would remain relatively small. Since that time, however, the number of clinical-track faculty has soared and he feared the same would happen with the instructional-faculty track. Meanwhile, the growth in tenure-track faculty has slowed to the extent that, in his opinion, the research mission of the university has been negatively impacted. He advocated for allowing faculty to determine the appropriate number of instructional faculty in their colleges, with the Faculty Senate made aware of any changes to the limits. Secretary Snyder commented that the draft policy does nothing to encourage the hiring of instructional faculty and to a certain extent discourages it, through increased job security for lecturers with the accompanying financial commitments. Professor Muhly acknowledged this but nevertheless worried about the university increasingly gravitating towards the instructional-faculty track.

Given the concerns expressed by Professor Muhly, President Bohannon asked if the policy should place a cap on the number of instructional faculty. If so, should this cap be university-wide or should the colleges be allowed to decide on their own caps? If the latter, then the dean will need to make the case to his/her faculty for a particular cap. Professor Muhly commented that this is a far better scenario than, for example, having the provost tell a dean facing financial challenges to hire additional instructional faculty rather than providing the dean with resources to hire more tenure-track faculty. Professor Muhly stressed that the Senate needs to become more aware of financial decisions being made university-wide and within the colleges. President Bohannon cautioned against the Senate becoming too involved in what should be collegiate decisions, for example, restricting the number of clinical-track faculty in the Carver College of Medicine. Each college has unique needs. Professor Gillan suggested requiring collegiate instructional faculty policies be approved by the Senate. President Bohannon noted that the provision for review of the instructional faculty policy specifically indicates that the policy’s effect on the numbers of other types of faculty be examined. Professor Benson observed that policies providing for the existence of other types of faculty tracks promote the diminution of the tenure track.

Councilors agreed that it would be helpful to see data, perhaps on an annual basis, on the number of instructional faculty in each college, perhaps along with the number of credit hours

taught by instructional faculty. Professor Muhly stressed that we should not underestimate the value of having students taught by tenure-track faculty. President Bohannon commented that she anticipated that any caps instituted would be enacted at the collegiate level. Professor Muhly urged that we continuously monitor the number of instructional faculty on campus. Councilors suggested that the order of the first and second sentences in the preamble be reversed, in order to emphasize the central role of the tenured faculty at the university.

President Bohannon indicated that she would make the changes suggested by the Councilors and take the draft policy back to FPCC for additional review.

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

V. Announcements

- The annual Faculty Senate/Iowa City Area Chamber of Commerce reception for local legislators will be held on Thursday, December 10, 4:00-5:30 pm, in the rotunda of the Old Capitol.
- The next Faculty Senate meeting will be Tuesday, December 8, 3:30 – 5:15 pm, Senate Chamber, Old Capitol.
- The next Faculty Council meeting will be Tuesday, January 26, 3:30-5:15 pm, University Capitol Centre 2390.

VI. Adjournment – Professor Gillan moved and Professor Vos seconded that the meeting be adjourned. The motion carried unanimously. President Bohannon adjourned the meeting at 5:35 pm.