

FACULTY SENATE
Tuesday, March 24, 2015
3:30 – 5:15 pm
Senate Chamber, Old Capitol

MINUTES

- Senators Present: P. Abbas, F. Abboud, G. Buettner, S. Campo, J. Colgan, S. Daack-Hirsch, D. Dawson, F. Durham, B. Eckstein, A. Ersig, A. Gerke, A. Hasan, J. Klesney-Tait, J. Kolker, N. Langguth, G. Lee, K. Light-McGroary, T. Mabry, U. Mallik, P. Muhly, D. Murry, J. Murry, M. Nikolas, L. Plakans, L. Ponto, E. Prussing, P. Romitti, S. Seibert, P. Snyder, C. Sponsler, L. Storrs, C. Swan, H. Udaykumar, M. Voigt, S. Vos, J. Wang, J. Wilcox, D. Wilder, P. Windschitl, T. Yahr.
- Officers Present: C. Bohannan, A. Thomas, T. Vaughn.
- Officers Excused: R. Fumerton.
- Senators Excused: S. Ali, P. Brophy, D. Caplan, N. Fethke, J. Foote, E. Gillan, J. Iverson, A. Kwitek, A. Merino, T. Treat.
- Senators Absent: M. Adamek, A. Amendola, S. Baker, J. Bates, C. Benson, M. Blumberg, K. Brown, J. Buatti, T. Burstain, K. Glenn, T. Havens, Z. Jin, K. Kieran, A. Lee, W. Maury, J. McNamara, R. Rocha, Y. Sato, W. Schmidt, D. Segaloff, L. Segre, B. Thompson, R. Williams.
- Guests: B. Butler (Provost), J. Cox (Presidential Committee on Athletics), J. Kueter (Alumni Association), K. Kregel (Office of the Provost), J. Lewis (UI Foundation), L. Marshall (UI Foundation), G. Martin (Office of the General Counsel), J. Menninger (Emeritus Faculty Council), T. Ullrich (Master's student), J. Walker (Office of the Vice President for Research and Economic Development), L. Zaper (Faculty Senate Office).
- I. Call to Order – President Thomas called the meeting to order at 3:30 pm.
- II. Approvals
- A. Meeting Agenda – President Thomas noted that a shift in the order of the agenda items had been made. Professor Seibert moved and Professor John Murry seconded that the revised agenda be approved. The motion carried unanimously.
- B. Faculty Senate Minutes (February 10, 2015) – Professor Campo moved and Professor Mallik seconded that the minutes be approved. The motion carried unanimously.
- C. Committee Appointments (Christina Bohannan, Chair, Committee on Committees)
- *None at this time.*

III. New Business

- *Lynette Marshall, President and CEO, UI Foundation and Jeff Kueter, President and CEO, Alumni Association*

President Thomas commented that it was a true privilege for her to welcome UI Foundation President and CEO Lynette Marshall and newly-appointed Alumni Association President and CEO Jeff Keuter. She noted that as philanthropy has become an increasingly important component of the twenty-first century university, it seems fitting for faculty to collaborate with colleagues at the Foundation in this and other forums. President Thomas expressed the hope that Ms. Marshall would discuss ways in which faculty might support the missions of the Foundation; these missions are deeply intertwined with the missions of the university. President Thomas noted that Past President Fumerton had chaired the search committee that had identified and recruited Jeff Keuter to his current position, and she welcomed Mr. Keuter on his first visit to the Faculty Senate.

Ms. Marshall thanked senators for the privilege of speaking before them. She commented that she takes the Senate's work and the university's commitment to shared governance very seriously. She added that it was a privilege to get to know the Faculty Senate president during the many outreach events that happen throughout the year. Ms. Marshall then turned to the theme of enhancing the culture of philanthropy on campus. She noted that public universities have not been in the practice of philanthropy as long as private institutions have. Therefore, one of the key initiatives of the UI Foundation, in addition to raising funds for the university, is to help faculty, staff and students understand the impact of philanthropy on campus and how it contributes to the overall success of the university. Much of the Foundation's efforts in this regard are focused on students. Ms. Marshall briefly described these various efforts. A recently-formed student philanthropy group, with about 25 undergraduate members, volunteers with the Foundation and meets with donors, to talk about the ways in which philanthropy has impacted students' experiences at the university. A summer development internship program brings students to the Foundation and introduces them to career opportunities in this field. The Foundation is also deeply involved in supporting the annual Dance Marathon. On Phil's Day, observed in the spring, yellow ribbons decorate buildings that have been impacted by philanthropy. Guest speakers on that day have included major donors to the university. An academic certificate in philanthropic studies, housed in the School of Journalism and Mass Communication, is offered to students. The *We Are Phil* campaign invites the entire campus to participate in supporting the university. The Williams Development Fellow is a one-year position for a recent graduate to get a sense of the professional experience of working in fundraising. And, there is an entire position at the Foundation dedicated to enhancing campus philanthropy.

Ms. Marshall indicated that the goal of the recent faculty/staff campaign was to reach an 18% giving rate by the end of the comprehensive campaign in 2016. The baseline participation rate was 13% participation in FY12, reaching 16% in FY14, and through yesterday it was 15.1% for FY15. This equates to over 2500 faculty and staff who are supporting the university. She encouraged faculty to attend the Phil's Day presentation by business leader and UI donor Jerre Stead on Thursday, April 30. Ms. Marshall then noted that FY14 was the best fundraising year

ever, with \$240 million received, in cash as well as in pledges and deferred gifts. The current value of UI's endowment is \$1.26 billion, placing UI in the top 7% of universities across the nation. Ms. Marshall commented that the Foundation serves in some ways as a bank for the university; when income is earned on endowments, it is then transferred to the university. In FY14, \$98 million was transferred to the university from the Foundation for various purposes. These funds have ended up in various "buckets," which include student support, research support, direct faculty support, facilities, and program support. All but the first category directly impact faculty in their work. The level of philanthropy has almost reached half way to the level of state appropriations.

Ms. Marshall then introduced Jackie Lewis, Senior Vice President for Development at the UI Foundation. Ms. Lewis indicated that thus far, the Foundation has raised \$1.44 billion toward the campaign goal of \$1.7 billion. Progress to the goal is at 85%, with 79% of the campaign time having elapsed. Collegiate campaigns are also on track to meeting their goals. The College of Education has surpassed its original \$30 million goal. The College of Engineering is having a particularly successful year, raising \$11 million, bringing it to \$51 million of its \$55 million goal. The College of Public Health has exceeded its goal, with more than \$25 million raised. The College of Liberal Arts and Sciences has reached a major milestone, raising \$120 million of its \$140 million goal. The medical center has surpassed \$600 million on the way to its \$700 million goal. The athletics campaign has reached \$213 million toward a \$240 million goal.

Ms. Lewis further reported that about 1230 new funds have been established since the *Iowa. Forever More.* campaign was launched in 2008. Many of these funds directly relate to faculty, research, or programmatic support. Outright gifts or pledges make up 70% of donations, while 30% are deferred gifts. President Mason established the Golden Pledge, a presidential partnership for student success, in 2012. This matching program for student scholarships has raised almost \$10 million. In the past three years, 518 students have received \$1.3 million in aid through this program. Outreach events in the current fiscal year have been scheduled in 17 locations across the country. The outreach events feature Ms. Marshall as moderator, asking questions of President Mason and Mr. Keuter, as well as of a current student.

Mr. Keuter then took the podium and commented that the university has about 260,000 alumni spread across the globe. He stated that he believes the purpose of the Alumni Association is to connect alumni with each other, with their communities, and then with the university. About 2/3 of UI alumni live outside the state and will likely never return. Alumni Association programming must, therefore, go to them and be meaningful in their own lives. Once that meaning has been established, then alumni are more likely to stay involved with the university, through philanthropy, mentoring, providing internship opportunities, etc. Mr. Keuter indicated that the first UI Alumni Association was formed in 1867, by students who had graduated that year, to strengthen the social ties among graduates, to encourage attendance at commencement, and to work for the general welfare of the university. Those three goals still resonate in our time. Today's Alumni Association provides opportunities for alumni to gather, to socialize, and to celebrate the university and the accomplishments of the university's faculty, students, staff and alumni.

Among the Alumni Association's diverse portfolio of activities are lifelong learning opportunities that bring together retired faculty with alumni through classes, lectures, and senior college. Mr. Keuter requested that current faculty members contact him about their travel plans, as there may be opportunities for them to provide lectures to alumni around the country, in addition to lecture opportunities that already exist in Johnson County. The Alumni Association also contributes to strengthening the social ties among alumni through affinity groups, such as the Alumni Band or the Dance Marathon Alumni. Hosting reunions continues to be a central task of the Association, but there is also a focus on reaching out to current students through the Students Today Alumni Tomorrow (STAT) organization, designed to inculcate our students with the notion that they will be students for only a short time, but they will be alumni forever and should think about how that can benefit them. The Iowa Voyagers program sponsors trips for alumni around the world. There are about 45 Iowa Clubs in cities throughout the country, as well as in 10-12 international locations.

Mr. Keuter noted that building social ties among alumni is important, but it is also necessary to provide tangible services. Among these are the UI data project, sending alums a pertinent fact each week through social media channels regarding UI's impact. Career services are provided through virtual webinars and virtual networking events with the goal of reaching alumni in mid-career who are considering changing careers. The *Iowa Alumni Magazine* is the association's signature publication, providing a holistic picture of activity on campus. No other publication speaks to the entirety of the university community the way this publication does. Mr. Keuter then described a new endeavor, in partnership with the Tippie College of Business. An alumnus has donated a motorcycle to be raffled off for the purpose of raising money for student scholarships. If this initial effort is successful, similar raffles may take place in the future. Raffle tickets are still available.

Turning to the topic of how faculty members and the Alumni Association can mutually support each other, Mr. Keuter commented that it was as much a question of communication as it was of action. He suggested that when faculty members are traveling, they should find out if Iowa Clubs are located in their destination cities. The Alumni Association can determine if Iowa alumni are clustered in a particular area and if they would be interested in hearing about a topic within a faculty member's specialty. The Alumni Association can also assist in the creation of alumni advisory bodies for academic departments. Mr. Keuter requested that faculty members inform the Association of outstanding alumni in their fields; these individuals could then become subjects for alumni profiles in various publications. The Alumni Association can also work with faculty members to establish mentorship and internship opportunities for current students. Mr. Keuter concluded his remarks by indicating that it is essential for faculty members to establish initial contact with the Alumni Association so that all of these other efforts can be generated.

Professor Wilder suggested that helmets be raffled off along with the motorcycle. Referring back to the various "buckets" into which donated funds fall, Vice President Bohannon asked about the Foundation's method for determining how much money goes into each bucket. Ms. Marshall explained that at the start of each campaign, a comprehensive planning process, led by President Mason, Provost Butler, and the deans, is carried out. Each college has the opportunity

to set its specific goals for each of the buckets. Fundraising is donor-driven, however; donors specify areas for which they wish their donations to be used. President Thomas commented that she found her own efforts working with the Foundation to be a truly rewarding endeavor and encouraged other faculty members to begin making connections with the Foundation.

- *Presidential Committee on Athletics Update (Jeff Cox, Chair)*

President Thomas introduced Professor Jeff Cox, of the Department of History, who is currently serving as chair of the Presidential Committee on Athletics (PCA). She noted that Professor Cox served as Faculty Senate President during the 2002-03 academic year. The PCA, composed of faculty, staff, students, and alumni, is always chaired by a faculty member. The committee is charged with advising the University President and the Director of Athletics on policies governing the Department of Intercollegiate Athletics. The committee is further charged with periodically apprising the faculty with the status of athletics at UI and nationally. President Thomas expressed her appreciation to Professor Cox for his service.

Professor Cox began his presentation with a historical overview of faculty involvement with athletics at the university. He displayed a photograph of the 1890 football team, the earliest known photograph of a UI football team. Professor Cox commented that, at that time, not all members of the football team were actually enrolled as students at the university. It was concern over this situation that led to the founding of the Big Ten. In 1896, the university presidents of the then-Western Athletic Conference met in Chicago to exert control over athletics, by appointing faculty representatives from each of the universities. This faculty group met the following year and founded the Big Ten organization to provide oversight of athletics on their campuses. The group passed three resolutions, requiring varsity athletes to be students at the universities, requiring students to have completed one year of coursework before they could play their sports, and requiring that coaches be paid “modest” salaries.

In 1906, Professor Cox continued, President Theodore Roosevelt called a conference of college presidents to address the prevalence of severe injuries and even death in college football games. The National Collegiate Athletic Association (NCAA), also a faculty committee early on, eventually grew out of this gathering. Professor Cox noted that the practice of appointing Faculty Athletics Representatives (FAR's) to the NCAA continues to this day. UI's current FAR's are Professor Ellen Herman, of the College of Education, and Professor Gene Parkin, of the College of Engineering. Both devote many hours to their duties. Professor Cox indicated that another milestone in the history of faculty involvement with collegiate athletics occurred in the 1960's, when Title IX opened up more academic and athletic opportunities for women and minorities. He commented that this was personally meaningful to him, because he had grown up in a small segregated southern town and witnessed the integration of his high school. Professor Cox also noted former UI football coach Hayden Fry's role in integrating the Southwest Conference through recruitment of its first African-American scholarship football player.

Turning to the Presidential Committee on Athletics, Professor Cox explained that the PCA has several subcommittees, including Academic Achievement, Student Welfare, and Equity, reflecting the concerns that faculty members have had about collegiate athletics for the last century. Earlier, the PCA was known as the Board in Control of Athletics, and its approval was

required for hiring new coaches or building new facilities. With the growth in the number of professional staff in the Department of Athletics, however, some of the PCA's responsibilities have faded. In recent years, the PCA has revised its operations manual and clarified its duties. Professor Cox noted that the Academic Achievement subcommittee, for example, currently chaired by Professor Michael O'Hara of the College of Liberal Arts and Sciences, sets standards for academic achievement by student athletes. The UI standards are higher than those for the Big Ten and the NCAA; at Iowa, students are required to enroll in 14 credit hours per semester and the number of online courses they can take is limited to one per semester. The number of missed class days per semester is limited to eight. Professor Cox expressed concern about allowing student athletes to take an unlimited number of online courses, as might be happening at some other institutions. In addition to the effect on their education, student athletes would then have little opportunity to interact with the general student population. Regarding graduation rates, UI ranks second in the Big Ten after Northwestern, with a rate of 89%. Professor Cox noted that the graduation rate for student athletes is higher than for the undergraduate student body overall. The PCA monitors graduation rates and interviews students who are in academic difficulty. Professor Cox stressed that, contrary to the impression the media might sometimes give, student athletes take their studies seriously and want to do well academically, as well as athletically.

The PCA's Student Welfare subcommittee, chaired by Professor Sue Moorhead of the College of Nursing, recently wrote a student grievance procedure and is now working on a pregnancy policy. The Equity subcommittee interviews all of the coaches on a regular basis to discuss racial and gender equity issues. This subcommittee reviews reports from the Office of Equal Opportunity and Diversity and from Human Resources on hiring processes and procedures for senior Athletics staff and the coaches. A PCA member serves on the search committee for every coach, but does not play any role in the firing of coaches. The PCA also is not involved in student grievances that go through other channels. The final PCA subcommittee is Finance. Professor Cox recalled that when he was Faculty Senate President in 2002-03, he advocated for the \$2.5 million going to Athletics from the general fund to be re-directed to academics because of the cut in state appropriations that the university was experiencing. Eventually, Athletics became self-sustaining, raising revenue through a combination of ticket sales, contributions, and commercial ventures. In conclusion, Professor Cox expressed opposition to treating student athletes as employees, noting that very few student athletes enter professional leagues and therefore they need the degrees that the university provides. He encouraged faculty members to volunteer for service on PCA.

Professor Voigt asked about the effect of television rights on collegiate athletics. Professor Cox commented that finances is an area over which faculty members have very little control and he acknowledged the large sums of money that television rights bring in. He added that this has also contributed to the "arms race" in coaches' salaries. It is not surprising that there is a movement to pay student athletes when one takes coaches' high salaries into consideration. Professor Cox expressed the opinion that university presidents need to take action regarding coaches' salaries, in spite of concern about the anti-trust issues this might raise. He added that most collegiate coaches are not paid large sums. Professor Voigt then questioned the practice of allowing student athletes, particularly in football, to put themselves at risk of head and other

types of injuries, while the university profits considerably from these sports. Professor Cox responded that all of the money that Athletics makes goes back into the Athletics Department; it is then a question of how that money is allocated within the department. He stressed that all contact sports carry some risk, but that the athletes truly want to play. There is a great deal of research currently being carried out regarding concussions and head injuries. It is possible that at some point the public will no longer tolerate a situation in which players put themselves at such risk.

Vice President Bohannon brought up an issue that has been in the news lately, of the firing of a field hockey coach. She noted that the Faculty Senate officers had been contacted by various individuals about this situation. Acknowledging Professor Cox's earlier remark that PCA is not involved in the firing of coaches, Vice President Bohannon asked him to describe Athletic Director Gary Barta's recent remarks to the PCA about this topic, as reported recently in the media. Professor Cox responded that there had been extensive discussion with Mr. Barta about this, as well as with President Mason; both are always willing to engage in discussion on any topic of concern. He added that the PCA is not equipped to deal with coaches' grievances. He observed that people have different, strong opinions about this situation and he expressed concern about damage being done to the reputation of the university. President Thomas thanked Professor Cox for addressing the Senate and for his service on PCA. She commented that although athletics is not a core responsibility of the Faculty Senate, we do support equity in all programs across the university.

- *Institutional Conflict of Interest Policy (Usha Mallik, Grainne Martin, Deputy General Counsel, Office of the General Counsel; Jim Walker, Associate Vice President for Research, Office of the Vice President for Research and Economic Development)*

President Thomas reminded the group that the Senate had previously reviewed and approved a revised conflict of interest policy for *individuals*. The policy before the Senate today, however, pertains to situations in which the *institution* or *institutional leaders* are in conflict with *research that includes human subjects*. President Thomas added that this draft Institutional Conflict of Interest policy has been reviewed and approved by the Faculty Policies and Compensation Committee, the Research Council, and the Faculty Council. A policy of this type is required for the university's ongoing accreditation by the Association for the Accreditation of Human Subjects Protection Programs (AAHRPP).

Professor Mallik, a member of the Faculty Policies and Compensation Committee, explained that there is as yet no federal mandate for institutions to have an institutional conflict of interest policy; the university is implementing the policy according to the requirements for accreditation. Dr. Walker, the chief architect of this draft policy, crafted it based on a model policy developed by the Association of American Medical Colleges (AAMC) and the Association of American Universities (AAU). Professor Mallik noted that the policy defines *institutional significant financial interests* as those in excess of \$100,000, and *institutional official significant financial interests* as those in excess of \$25,000. If a conflict of interest determination is made in the latter case, then that individual has the options of recusing himself/herself from decisions involving the research project or of divesting of the financial interest. If neither option is possible, the conflict is referred to the Institutional Conflict of

Interest Committee, which will determine if the research project can proceed at the UI. For research projects that are allowed to proceed, conflict of interest management options such as external IRB or independent monitoring will be recommended. Appeals of negative decisions by the Institutional Conflict of Interest Committee can be appealed to the Board of Regents.

Following up on Professor Mallik's remarks, Dr. Walker stressed that the university's Individual Conflict of Interest policy addresses situations in which individual researchers have a financial interest in the research project they are conducting. This Institutional Conflict of Interest policy, however, addresses situations in which the institution or an institutional official has a financial interest in a particular research project. A financial conflict of interest is defined as a direct connection between a financial interest and the research, that could impact directly and significantly the outcome of the research. A financial conflict of interest must be eliminated through disclosure, review, management, or divestiture. Institutional significant financial interests held by the university are referred to the Institutional Conflict of Interest Committee. When an institutional significant financial interest is held by an institutional official, and divesting or shifting decision-making about the research to others is not possible, then that institutional significant financial interest is referred to the Institutional Conflict of Interest Committee. Members of that committee include the members of the Conflict of Interest in Research Committee, the President's designee serving as chair, and a community member. Dr. Walker explained that the premise of the policy is that, in the presence of an institutional conflict of interest, a research project cannot be carried out at the university. In rare cases, the research will be allowed to proceed if "compelling justification is presented."

Professor Campo raised an issue that she had also brought up at the Faculty Council meeting. She expressed concern that the Institutional Conflict of Interest Committee is largely made up of people affiliated with the university. She noted that the National Institutes of Health excludes individuals from review panels if they share an institutional affiliation with those researchers undergoing review, to avoid a real or perceived conflict of interest. There may be rare instances in which the entire university may stand to benefit from the development of a popular product or highly beneficial drug, so that a review that is perceived by the public to be impartial may be difficult to achieve. Dr. Walker responded that the Institutional Conflict of Interest Committee does include one community member not affiliated with the university. He also stressed that the premise of the policy and of the review committee is that research will not go forward in the presence of an institutional conflict of interest. Only very unusual, extenuating circumstances could overturn this premise. In these rare situations, the management strategy would involve review of the research procedures and results by outside individuals. There would be multiple protections in place to address the fundamental question of whether the research is safe for the human subject participants.

Professor Ponto commented that her department often conducts equipment research. This research always needs to go through the hospital's compliance office. She asked how this policy would apply in these circumstances. Dr. Walker responded that these situations would seem to relate to clinical care, which has a different conflict management system. Professor Daack-Hirsch asked why the policy was narrowly written to apply only to human subjects research. Dr. Walker responded that the accrediting agency, AAHRPP, felt that the greatest danger to human

subjects occurred in clinical trials in which the safety and effectiveness of drugs, devices, or treatments were being tested. In order to get such a policy in place in a timely manner, as required by AAHRPP, it was deemed necessary to keep the policy's scope narrowly focused on these areas. Professor Wilder asked about policy implications for human subject research that does not involve drugs, devices, or treatments, such as computer-aided design. Dr. Walker commented that there was a strong connection between engineering design and the human research portfolio, but that computer simulations are considered minimum-risk research, that is, no greater risk to human subjects than everyday activity.

Professor Abboud asked for clarification of the process and people involved when an institutional conflict of interest is first detected. Dr. Walker explained that this determination can be made by several individuals, often the Conflict of Interest Officer or other qualified staff in the office, based upon information obtained from the UI Research Foundation and the UI Foundation. When an overlap is discovered between a research project and a financial interest, the review process is triggered. Dr. Walker will add some clarifying language to this section of the policy. Professor Snyder asked if there was any research currently underway at the university that would not be permitted under this policy. Dr. Walker responded that he was not aware of any. He added that he has heard that institutions that have implemented this type of policy rarely have occasion to use it. Professor Buettner asked how the \$100,000 threshold was determined as the level of a significant institutional financial interest. Dr. Walker explained that this figure was consistent with other institutions' policies as well as with AAMC and AAU guidelines.

Referring to Professor Campo's concern about the composition of the Institutional Conflict of Interest review committee, Vice President Bohannon suggested that the phrase "*at least one unaffiliated (non-university) member from the community*" be added to the policy.

Professor Seibert moved and Professor Sponsler seconded that Institutional Conflict of Interest policy be approved pending three friendly amendments, clarifying the sources of the institutional financial interest reports provided to the Conflict of Interest in Research Office and clarifying the process for initial determination of an institutional conflict of interest, and the insertion of language indicating that the Institutional Conflict of Interest review committee can include more than one community member. The motion carried unanimously.

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

V. Announcements

- Online Faculty Council elections begin on Friday, March 27. Please encourage your colleagues to participate.
- The annual Tenure Workshop, sponsored by the UI AAUP, Faculty Senate, and the Provost's Office, will be held on Wednesday, April 8, 6:30-9:00 pm in room 116 of Art Building West. The workshop will provide practical advice on how to be successful in obtaining tenure. Please encourage your tenure-track colleagues to attend.
- The next Faculty Council meeting will be Tuesday, April 14, 3:30-5:15 pm, University Capitol Centre 2390.

- The next Faculty Senate meeting will be Tuesday, April 28, 3:30 – 5:15 pm, Senate Chamber, Old Capitol. Election of officers will take place

VI. Adjournment – Professor Udaykumar moved and Professor Campo seconded that the meeting be adjourned. The motion carried unanimously. President Thomas adjourned the meeting at 5:15 pm.