

FACULTY SENATE
Tuesday, March 26, 2019
3:30 – 5:15 pm
Senate Chamber, Old Capitol

MINUTES

- Senators Present: F. Ahmad, J. Barker, E. Bayman, C. Bradley, J. Buckley, J. Carlson, J. Colgan, K. Culp, R. Curto, A. Deshpande, M. Foley Nicpon, E. Gillan, L. Glass, P. Goswami, D. Hall, D. Jalal, C. Kletzing, A. Kwitek, B. Kyles, K. Lamping, M. Lehan Mackin, J. Logsdon, D. Macfarlane, L. MacGillivray, U. Mallik, T. Marshall, K. Messingham, T. Midtrod, C. Ogren, T. Peters, M. Pizzimenti, E. Prussing, C. Sheerin, V. Steelman, J. Streit, K. Tachau, D. Whaley, D. Wurster.
- Officers Present: S. Daack-Hirsch, R. Ganim, P. Snyder, J. Yockey.
- Senators Excused: S. Ashida, G. Bardhoshi, D. Caplan, F. Durham, A. Durnev, A. Hosmanek, A. Jung, P. Kaboli, G. Russell, A. Stapleton, J. Szot, E. Wasserman.
- Senators Absent: L. Allen, J. Ankrum, R. Balakrishnan, S. Bodine, R. Boudreau, B. Dixon, B. Elias, E. Finzel, A. Gerke, K. Glenn, D. Gooblar, I. Grumbach, S. Harwani, A. Hooks, J. Kolker, T. Long, M. Nikolas, R. Oral, J. Reinhardt, E. Sander, C. Thomas, S. Vos, J. Welburn, D. Wesemann.
- Guests: J. Garfinkel (Funded Retirement and Insurance Committee), M. Kaplan (Information Management/University Human Resources), K. Kregel (Office of the Provost), T. Kulper (University Human Resources), C. McKinney (Office of Strategic Communication), J. Troester (University Human Resources), L. Zaper (Faculty Senate Office).
- I. Call to Order – President Ganim called the meeting to order at 3:32 pm.
- II. Approvals
- A. Meeting Agenda – Professor Macfarlane moved and Professor Carlson seconded that the agenda be approved. The motion carried unanimously.
- B. Faculty Senate Minutes (February 12, 2019; February 26, 2019) – Professor Lehan Mackin moved and Professor Jalal seconded that the minutes be approved. The motion carried unanimously.
- C. Committee Appointments (Sandy Daack-Hirsch, Chair, Committee on Committees)
- *None at this time*

III. New Business

- *Health Benefits Task Force Update (Jon Garfinkel, Faculty Co-chair, Funded Retirement & Insurance Committee and Joni Troester, Assistant Vice President, Total Rewards)*

Ms. Troester reminded the group that she had spoken to the Senate in the fall about the ongoing review of our health benefits. Today, she and Professor Garfinkel planned to give an overview of the Health Benefits Advisory Group's recommendations and seek feedback on those recommendations from the Senate. Describing the process of the review, Professor Garfinkel indicated that the advisory group had been presented with a mandate to develop a second (in addition to UI Choice) health benefits plan, to work with the two plans to support recruitment and retention of faculty and staff, to make sure both plans were financially sustainable, and to have the second plan offer some choice related to premium cost-sharing. He noted that the advisory group adhered to guiding principles of choice, quality, competitiveness of health benefits, and the promotion of positive behaviors. The advisory group included representatives of UI Health Care, central administration, the Funded Retirement and Insurance Committee (FRIC), merit staff, Service Employees International Union (SEIU), and university human resources. Professor Garfinkel stressed the crucial role of the FRIC members.

Highlighting various elements of the review process, Professor Garfinkel commented that the advisory group looked at plan data not just from UI, but also from our competitors – peer institutions as well as local employers. The university contracted with Aon (an actuarial consultant) to provide benchmarking and plan design modeling. Campus feedback was gathered through a survey of faculty and staff. The FRIC representatives on the advisory group reported to FRIC on the discussions of the group and feedback from FRIC was conveyed back to the advisory group on a continual basis. Then, the advisory group developed a set of recommendations. Turning to a summary of the faculty and staff survey on health benefits, Professor Garfinkel noted that the response rate was 37%. There was a high level of satisfaction with both the existing UI Choice and the Dental II plans (no changes are anticipated for the dental plan). The survey results indicated a positive preference for both the current structure (one plan) and for the possibility of a second plan.

The advisory group clustered its recommendations under several themes, Ms. Troester indicated. She noted that UI has a self-funded health plan, so the university pays all the claims and assumes all the risks, while contracting with Wellmark as a third-party administrator of the plan. Wellmark, in turn, subcontracts with a pharmacy benefits manager. However, large, self-funded plans often contract directly with a pharmacy benefits manager; this is the first recommendation under the theme of plan efficiency. This is meant to allow the university to manage costs and to control the pharmaceutical drug formulary better. The second recommendation related to plan efficiency is to consistently review plan administration to find new opportunities for efficiency.

Although survey data did not support a trend of difficulty accessing care, Ms. Troester noted that, nevertheless, access to care is one of the recommendation themes. Access to appropriate and timely care should be ensured across all plans. Details regarding UI Health Care's participation in provider networks are in the process of being worked out, she added. Another

theme focused on plan options and design. Ms. Troester reminded the group that the advisory group had been charged with looking at expanding choices for employees by offering an additional health plan. This plan would feature lower premiums, but higher out-of-pocket costs. She noted that following changes to Iowa Code Chapter 20, regarding collective bargaining, merit employees were assumed into the university's self-funded health plan in 2018. The merit employees added about 4200 contracts and about 10,000 individuals to UI Choice. Survey data indicated satisfaction with UI Choice, but also interest in having more plan options. The advisory group considered whether there would be selection bias between the two plans. In other words, would healthier people migrate to the lower-premium/higher out-of-pocket plan, thereby raising the risk pool and the costs for UI Choice. The advisory group is working with the actuarial consultant to model these costs and expected migration.

Professor Steelman commented that she faces a considerable wait time for getting in to see her primary care provider and she asked if the survey revealed widespread concerns about wait times. Ms. Troester responded that it did not; however, recommended access targets are being considered by FRIC for UI Health Care. Professor Mallik expressed concern about acute care levels, noting that extreme cases have access to immediate emergency care, but that the pathway to expedited access to care is not clear for less urgent, but still serious, situations. Ms. Troester indicated that she would convey this concern to FRIC. Professor Macfarlane asked if the advisory group discussed capitated plans. He added that a capitated plan is one in which a set amount of money is paid to the provider per patient, regardless of services rendered to that patient. Ms. Troester responded that the advisory group had not discussed capitated plans. It appears that our peer institutions with their own hospitals do not use these plans, either. The proposed new plan would be a value-based care initiative that would incent individuals through the copay structure to seek the appropriate level of care. Professor Kletzing asked for clarification whether the pharmaceutical drug benefits, especially the free generic drugs, would remain the same for UI Choice. Ms. Troester responded that, because of the enormous popularity of the free generic drug benefit, this benefit will be maintained for both plans; however, the pharmaceutical drug formulary may change in the second plan.

Professor Carlson questioned whether UI Choice would end up changing in some way as a result of the new plan. Ms. Troester responded that coverage and structure would not change. Premiums, however, are reviewed every year and may change. Professor Carlson observed that if low-risk individuals move into the lower premium/higher out-of-pocket plan, UI Choice premiums may go up rapidly to cover a higher-risk pool. Ms. Troester explained that, since there will be no previous experience with the new plan to look back on, the costs of the new plan will be projected from its structure. Also, the actuarial consultant will estimate the potential migration from UI Choice to the new plan. Professor Carlson wondered how the changes to our plan structure would affect the university's overall costs for health care. He asked if the university would pay Wellmark less if we contract independently with a pharmacy benefits manager. He also commented that, since the university pays the entire premium for employees who select single coverage, the university will incur higher costs if the premiums for UI Choice rise. Employees who select single coverage would likely stay on UI Choice, while employees who also cover family members would be financially motivated to move to the new plan, which has lower premiums but higher out-of-pocket costs. Regarding the first question, Ms. Troester

responded that moving to a separate pharmacy benefits manager would be either cost-neutral or would lower costs. Costs for the administrative agreement with Wellmark would then likely decrease.

Turning now to another recommendation theme, this one concerning premium cost share, Ms. Troester noted that currently for UI Choice, the employee-only plan has a 0% premium cost share, while the employee/spouse, employee/children, and employee/family plans have a 20% premium cost share. Dual UI employee spouses/partners have a 0% premium cost share for the family plan. The recommendation calls for maintaining the employee-only 0% premium cost share and the dual spouse/partner 0% premium cost share for the family plan in the lower-premium/higher out-of-pocket plan only. The UI Choice plan would transition to a discounted cost share for both of those groups of employees. The employee cost share would be 5% in 2020 and rise to 10% in 2021 and beyond. There would be no change to the 20% cost share for employee/spouse, employee/children, and employee/family plans in both UI Choice and the new plan. Professor Carlson commented that this is indeed a change to UI Choice. Ms. Troester stressed that the changes are not occurring to coverage, only to the premium cost share structure.

Professor Mallik asked about deductible cost in the new plan. Ms. Troester responded that the advisory group only made a broad recommendation for the new plan. FRIC will propose details for the new plan in May. Those details will be consistent with peers. Secretary Yockey asked if FRIC has approved the creation of the new plan yet, or if it has just been involved in discussions thus far. Ms. Troester indicated that FRIC has voted on the creation of the new plan, eight in favor and four opposed. Secretary Yockey then asked if an employee can switch back and forth between plans if that individual's circumstances change. Ms. Troester answered that yes, employees can change plans during open enrollment. Noting that Ms. Troester had indicated that cost modeling, especially for plan migration, is not complete yet, Secretary Yockey asked if faculty would have the opportunity to provide feedback on the recommendations once the modeling is complete and a clearer picture of costs emerges. Ms. Troester explained that modeling information would be provided to FRIC in May and communication to the campus would begin in the summer. Observing that the Board of Regents is scheduled to approve the new plan option in June, Secretary Yockey again asked when faculty could provide feedback based on the completed modeling. Ms. Troester indicated that FRIC would take on that role, as it customarily does when health plan changes are contemplated.

Commenting that costs for UI Choice may rise considerably in the future if a new plan is created, Past President Snyder asked if there had been any discussion of increasing the premium cost share percentages. Ms. Troester responded that there had not been. Professor Garfinkel pointed out that the 20% cost share for the other family statuses in UI Choice has not changed over the years, even as the total cost of premiums has. Professor Tachau, a member of the advisory group and of FRIC, expressed concern that out-of-pocket maximum costs may rise to an extremely high level. Ms. Troester commented that the advisory group had two models for benchmarking, peer higher educational institutions for faculty and local employers for staff. The new plan features would not deviate significantly from those benchmarks.

President Ganim asked how health plans at Iowa State University and the University of Northern Iowa compare to ours. Ms. Troester noted that those institutions differ from UI in that they are not health care providers. Our health plan incents us to use UIHC health care facilities. ISU and UNI both have health maintenance organization (HMO) plans in the Blue Cross Blue Shield network. They also have a preferred provider organization (PPO) plan similar to UI Choice. The dual spouse employee PPO plan is discounted at both, while the HMO plan is discounted for dual spouse/partner employees at UNI and free at ISU. The employee-only plan at ISU is free for the HMO, while UNI has discounted rates for both the HMO and the PPO. Professor Kletzing expressed concern over potential significant migration of healthier people from UI Choice to the lower-premium/higher out-of-pocket plan, thereby leading to substantial rate increases for UI Choice. Ms. Troester responded that, based on modeling seen thus far, the migration rate would be about 30%. She added that it is too early to estimate possible premium increases for UI Choice.

Professor Carlson commented that it doesn't appear that UI's competitive position is hurt by our current health plan. He then asked why there is a penalty for remaining on UI Choice (the proposed new cost share premium for some employee groups), if a preference has been expressed by faculty and staff for a second health plan. It appears that the university is pushing employees into the lower premium/higher out-of-pocket plan in order to save money. He urged that, if this is indeed what is happening, then it should be stated openly. Ms. Troester responded that the advisory group was not charged with creating a new, cheaper plan to save the university money. Professor Garfinkel, noting that some employee groups now pay a 20% premium cost share while other employee groups pay no cost share, added that there was an issue of fairness involved. The new two-plan structure is an effort to spread costs somewhat more evenly among employee groups, through either greater premium cost sharing or higher usage costs. Professor Mallik urged that the Senate hear more about the proposed changes when more modeling data becomes available.

- *Working at Iowa Survey Results (Teresa Kulper, Director, Organizational Effectiveness/Learning and Organizational Development)*

Ms. Kulper reminded the group that the Working at Iowa survey is sent out about every two years. Most recently, it was sent out last October. Ms. Kulper reported that the survey participation rate was about 60% overall. The survey revealed a number of areas of strength, she continued. For example, 95% of respondents indicated that they knew their work expectations, 94% knew their contributions to the university's mission, 93% believed their unit focuses on customer service, and 91% felt that their supervisor treats them with respect. Ms. Kulper commented that this sense of contribution to the institution leads employees to have a greater degree of engagement. Turning to ongoing challenges indicated by the survey, Ms. Kulper explained that only 72% of respondents believed that workloads are distributed fairly, only 73% thought that there are opportunities for promotion within the university, only 74% believed that UI does a good job of recognizing the accomplishments of faculty and staff, and only 76% thought that work conflicts are managed constructively in their units.

Ms. Kulper commented that engagement is a major focus of the survey. Engagement can be defined as "employing and expressing your physical, mental, and emotional energy" in your

work role. Studies have shown that higher levels of engagement among employees lead to higher productivity, lower turnover, less absenteeism, etc. Professor Eean Crawford of the Tippie College of Business, whose research focuses on employee engagement, assisted in the development of several new survey items to measure physical, mental, and emotional engagement. Individual org reports have been shared with org leadership; many of these reports have been posted online. Org leadership can use these reports to determine how to preserve and maintain successful elements of engagement while focusing on areas of opportunity for improvement. Looking at the institution as a whole, survey responses that supported engagement were related to knowing one's work expectations, knowing one's contribution to the mission, and having a unit focus on customer service. Areas of improvement included increasing opportunities for promotion and career advancement, recognizing accomplishments and performance, and receiving regular and useful feedback from one's supervisor.

Professor Tachau, having looked at the survey report for the College of Liberal Arts and Sciences, questioned the survey's relevance for faculty, commenting that the questions do not reflect how faculty think about their jobs. She noted that high engagement with research and teaching do not necessarily correspond to positive feelings about the university. She expressed alarm over the high percentage of CLAS faculty (about one third) who reported that they would not recommend the UI as an employer to others. She urged that the reasons for this attitude be examined. She also wondered if the other collegiate reports showed similar faculty responses. Ms. Kulper responded that the responses of faculty overall could be seen in the institutional report. She noted that CLAS did have a lower positive response rate on the question Professor Tachau referenced and added that President Harreld would soon speak to the CLAS Faculty Assembly about this issue, among others. She acknowledged that this is a serious concern that should be investigated. Professor Tachau urged that faculty members, not administrators, be contacted to express their views.

Professor Macfarlane commented that he has observed several presentations about the Working at Iowa survey during his years in the Senate, but that he has not seen any actionable information come from the survey results. He suggested that the university cease conducting the survey because, in his view, the results did not justify the expense. He recalled that other senators have expressed similar views of the Working at Iowa survey over the years. Professor Carlson advocated for including a question about perceptions of meaningful shared governance on the survey. He added that some degree of dissatisfaction with shared governance might be revealed by such a question. Ms. Kulper commented that the survey questions were chosen because they are based on research. She offered to take this comment back to the survey advisory group, but she added that there does not appear to be a validated survey instrument that is geared specifically toward faculty or toward higher education. In response to a question, Ms. Kulper explained that this survey instrument has been used by Professor Crawford across a variety of industries. Professor Tachau suggested that additional questions, developed with the assistance of social science faculty, be created to solicit information relevant to the faculty experience. Vice President Daack-Hirsch commented that, while the survey results may give a general overview of problem areas, they do not provide a deeper understanding of the issues that would lead to the development of recommendations to address these problems, thus giving rise to faculty dissatisfaction with the survey.

Professor Logsdon asked if there are methods to obtain the input of those who did not fill out the survey. These individuals may be particularly disenfranchised and may not have taken the survey because they did not feel positively toward the university. He added that perhaps faculty could have their own survey, as previously suggested, with the understanding that action would be taken based on the results. Ms. Kulper responded that an extensive amount of feedback had been obtained from faculty focus groups several years ago. Professor Mallik expressed confusion over the goal of the Working at Iowa survey. She reiterated that the survey questions are not applicable to faculty. She stressed that the focus of the survey must be made clear to the respondents.

- *Self-Service Portal Design (Mike Kaplan, Director, Information Management/Human Resources)*

Mr. Kaplan explained that the employee self-service website has been in use at the UI since 2001. The current design has been in place since 2006, prior to the advent of mobile devices. The site is being redesigned to better accommodate access from mobile devices. For example, tabs are being replaced by tiles. Also, there will be four different ways to navigate the site: through the tiles, a sidebar with links, a search function, and an alert mechanism. Mr. Kaplan demonstrated use of the newly-designed site, which will replace the old site on April 2. Users can take a tour to familiarize themselves with the new design.

- *Committee on Academic Values Free Speech Document First Reading and Input (Pete Snyder)*

Past President Snyder explained that the process of developing this document began over a year and a half ago, through the Senate's Committee on Academic Values. The goal of the committee was to create a statement of principles to guide decision-making on campus regarding controversial speakers and other activities related to free expression and academic freedom. Since that time, several other events have occurred to increase the urgency for the faculty to create a free speech document. The ongoing review of the university's employment practices, conducted by Fredrikson and Byron, noted the lack of a statement on free expression in the UI Operations Manual. The Iowa legislature is moving towards passing free speech bills, while on the federal level, the President has signed an executive order related to free speech on campus. The Committee on Academic Values felt that faculty needed to take ownership of this issue and create their own statement.

Regarding the process to create the document, Past President Snyder indicated that Committee on Academic Values members Lois Cox and Richard Fumerton took the lead on drafting the document, with input from the entire committee. After the document is approved by the Faculty Council and Senate, it will be posted on the Senate website. Eventually, it will likely become part of the Operations Manual. The Council discussed the document at its last meeting, and some suggested edits were incorporated into the version presented to the Senate today. Past President Snyder then highlighted portions of the document. He noted that the statement covers all members of the campus community, as well as visitors. The document affirms that freedom of expression is an essential part of the educational mission, along with being legally protected. Protection for free expression must be content-neutral, even if the speech or expression leads to

strong disagreement. The university's commitment to academic freedom is outlined but limits to free expression are acknowledged. Finally, a list of related Operations Manual policies is provided.

Professor Gillan asked if students are supportive of this statement. President Ganim indicated that he had spoken with the current leadership of the student shared governance bodies and they had expressed support. Professor Macfarlane suggested several edits. In line 11, he recommended that *those who come to the university* be changed to *those who study at the university*. In line 19, he recommended inserting additional language, *members of our community must be free to **express opinions that challenge and question accepted wisdom***. In line 25, he recommended that the word **active** be added before the phrase *incitement to violence*, to clarify that the invited speaker is the person inciting to violence, not the speaker's protestors. Professor Macfarlane stressed that invited speakers have the right to speak and that protestors have the right to protest peacefully. He suggested that scenarios be developed to enhance understanding of the statement. Past President Snyder responded that one of the purposes of this document is to educate the campus about freedom of expression; however, there are other educational efforts across campus with the same goal. Professor Kletzing asked if the presidential executive order and the state legislative bills had been reviewed for conflicts with this statement. Past President Snyder responded that he had seen the latter but not the former. Both the statement and the legislative bills contain standard Constitutionally-based language.

Professor Tachau commented that lines 25-28 appear to be a summary in layman's language of Constitutional protections. She then drew the group's attention to line 29, *all those who teach **must** avoid importing into the classroom controversial material that has no relation to course content*. She asked why the word **must** was used, when similar American Association of University Professors (AAUP) language uses **should**. Past President Snyder responded that the Regents recently revised their own operations manual, and this sentence is consistent with the language on academic freedom used there. Professor Fumerton, one of the two drafters of the statement, commented that using **must** here provides a stronger basis for any potential disciplinary action. Professor Tachau agreed, but added that the connections of specific material to course content may not be readily visible to non-experts. This could be problematic for faculty. She also questioned the need for a faculty statement to conform to the Regents' statement. Professor Cox, the other drafter of the statement, commented that she could see the value of both arguments. She added that stronger language could subject a faculty member to adverse consequences for minor offenses.

Professor Steelman asked how the statement would apply to two separate scenarios, one in which an invited speaker has a history of rhetoric that incites violence and one in which an invited speaker has no history of inciting violence but the content of the speech could lead to a violent reaction in the audience. Past President Snyder noted that recently some controversial speakers have been denied permission to speak on college campuses because administrators feared an outbreak of violence. We do not yet have clear answers from the courts to the questions posed by Professor Steelman. Professor Fumerton emphasized that there are existing policies in the Operations Manual that address security procedures when violence might be

anticipated at a university event. This may include having the event sponsors defray some of the costs for security. Professor Macfarlane commented that this would be restriction of speech. Past President Snyder added that court cases have upheld the judgement that sponsoring groups cannot be burdened with excessive security costs because this would result in the disenfranchisement of groups without the resources to pay. Hosting venues must treat all sponsoring groups equally, regardless of viewpoint.

Professor Carlson praised the document. He suggested, however, that in line 32 the phrase *The university **will** enforce these rules and policies* be changed to *the university **should** enforce these rules and policies*, noting that the Senate cannot control how the university responds to situations. Past President Snyder commented that we hope eventually to have the document incorporated into the Operations Manual. Then, the university will be bound by the statement. Professor Carlson also cautioned against including any hypothetical situations in the statement. Lastly, commenting on lines 15-18 about not stifling or suppressing divergent viewpoints, he noted that he has sometimes had students try to monopolize classroom discussions. He assumed that this passage would not prevent him from curtailing the student's remarks and moving on with the discussion. Professor Cox indicated that classroom management policies likely address this issue.

Professor Tachau expressed concern about the use of the word **controversial** in line 30, *all those who teach must avoid importing into the classroom **controversial** material that has no relation to course content*. She suggested removing the adjective altogether or finding a better term that is not so problematic. Past President Snyder responded that the word **controversial** narrows the range of material that should not be introduced; otherwise, those who teach would be obliged not to mention all sorts of commonplace topics. This is not the intent of the statement. Using the word **controversial** is also consistent with other similar statements, such as those by the AAUP. Professor Gillan suggested that using **should** instead of **must** in the sentence might serve to soften the restriction. Professor Cox observed that since this sentence refers to academic freedom, perhaps the sense of the sentence is understood without the adjective. She added that extensive classroom time spent on material unrelated to course content would be problematic regardless of the actual content of the extraneous material. Professor Fumerton commented that, in his view, the meaning of the word **controversial** in this context would be understood. Professor Macfarlane stressed that **controversial** simply means that reasonable people can take both sides of an issue. After some additional conversation about this aspect of the statement, Past President Snyder indicated that the Committee on Academic Values would consider the feedback of the Senate and then present a revised version of the document to the Council and Senate next month. Professor Mallik expressed appreciation to the Committee on Academic Values for constructing the statement.

- *President's Report (Russ Ganim)*

President Ganim gave a brief update on the recent administrative searches. He noted that Montserrat (Montse) Fuentes, dean of the College of Humanities and Sciences at Virginia Commonwealth University, has been selected as the new executive vice president and provost and will begin work on July 1. Interviews for the new associate vice president of diversity, equity, and inclusion are underway.

Regarding the university's use of consultants, an issue about which the Faculty Council had expressed concern, President Ganim indicated his intention to meet with administrators to learn about use of and costs for consultants over the past few years.

A request for qualifications (RFQ) will go out next week as part of the public-private partnership (P3) initiative. This phase of the process will last about two or three months. About eight potential candidates will be identified, assuming that the university decides to move ahead with this project, President Ganim commented.

President Ganim indicated that earlier today a survey on community outreach and engagement had gone out to faculty. He encouraged senators to fill out the survey.

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

V. Announcements

- The next Faculty Council meeting will be Tuesday, April 9, 3:30-5:15 pm, University Capitol Centre 2390.
- The next Faculty Senate meeting will be Tuesday, April 23, 3:30-5:15 pm, Senate Chamber, Old Capitol. Election of officers will take place.

VI. Adjournment – Professor Tachau moved and Professor Mallik seconded that the meeting be adjourned. The motion carried unanimously. President Ganim adjourned the meeting at 5:20 pm.