

**University of Iowa**  
**FACULTY SENATE**  
Tuesday, April 2, 2002  
3:30 p.m.  
100 Phillips Hall

---

**Members Present:** J. Berg, C. Berman, D. Bills, T. Boles, K. Diffley, J. Gratama, L. Hunsicker, S. Kurtz, R. LeBlond, P. Lloyd, C. Lynch, D. Manderscheid, T. Mangum, K. Marra, J. Menninger, S. Moorhead, P. Muhly, B. Muller, W. Nixon, G. Parkin, J. Polumbaum, M. Raymond, C. Ringen, J. Ringen, H. Seaba, R. Slayton, S. Stromquist, K. Tachau, L. Troyer, R. Valentine, S. Vincent, E. Wasserman, P. Weller, J. Westefeld, J. Woodhead

**Members Absent:** K. Abdel-Malek, J. Altman, Z. Ballas, N. Bauman, R. Bork, P. Chang, H. Cowen, C. Dungy, B. Fallon, M. Graber, G. Hamot, P. Heidger, J. Jew, M. Klepser, J. P. Long, J. Moyers, I. Nygaard, T. O'Dorisio, P. Rubenstein, L. Snetselaar, C. Sponsler, W. Stanford

**Members Excused:** J. Aikin, S. Armstrong, D. Brown, J. Cowdery, D. DeJong, L. Dusdieker, V. Grassian, R. Hegeman, R. Hurtig, V. Kumar, S. Larsen, A. McCarthy, R. Miller, C. Porter, A. Qualls, T. Tuong, R. Weir

**Faculty Senate Officers in Attendance:** Amitava Bhattacharjee, President; Jeff Cox, Vice President; Carolyn Colvin, Past President; Erin Irish, Secretary

**Guests:** Bonnie Slatton (BICOA), Nick Colangelo (BICOA), Bob Engle (EFC), Jim Jacobson (*Gazette*), Pat Kenner (Staff Council), Nancy Williams, (Office of the Provost), Lee Anna Clark (Provost Office), Heather Woodward (*Press-Citizen*), Lola Lopes (Office of the Provost), Julie Thatcher (Faculty Senate Office), Mark Schantz (General Counsel)

I. Call to Order

The meeting was called to order at 3:35.

II. Approvals

A. Agenda

Prof. Kurtz moved and Prof. Nixon seconded the following:

**MOTION:** To approve the agenda. *The motion carried.*

B. Minutes: Faculty Senate, March 5, 2002

The minutes were accepted as distributed.

III. New Business: Adoptive Leave Policy (Lee Anna Clark and Jane Holland)

Associate Provost Clark introduced this revised policy, explaining that the Staff Council and the Faculty Welfare Committee have responded to several requests from adoptive parents to extend adoptive leave. This extension is especially needed in cases of international adoptions, when new parents must travel, often on short notice, to pick up the child and complete paperwork. This new policy is a compromise between what might be desirable and what is fiscally reasonable. There had also been an examination of the policy for leave for new biological parents. At present, new biological mothers can use sick leave for maternity leave, whereas the partners of those mothers would have to use emergency leave to cover any time off. If that group were to be included, the cost would be much, much higher, simply as a consequence of the much greater number of new biological parents compared to the number of adopting parents. The recommendation is that the leave be extended from five to ten days. If both partners are UI employees, the recommendation is that there be an increase of five days total for the couple, not for each parent. This policy has been approved by Staff Council and by Faculty Council.

Prof. Berman inquired about the use of additional sick leave. Associate Provost Clark explained that this would be an additional benefit. Previously, there had been five days of adoptive leave, and any additional time off was treated as vacation. Prof. Kurtz wanted a definition of “partner.” Nancy Williams responded that it means a domestic partner. Prof. Kurtz concluded that the policy would discriminate against unmarried heterosexual couples that adopt. Associate Provost Clark agreed, stating that this policy would be consistent with other university policies. Prof. Kurtz wanted to see that unmarried heterosexual couples be covered by this policy, and Prof. Hunsicker asked that this policy be amended to include heterosexual unmarried couples, which Prof. Kurtz seconded. Williams responded that those creating the policy had not thought of this possibility, but merely wanted to be consistent with university policy. She would go back to the committee to clear this amendment. Prof. LeBlond observed that if both people are adoptive parents, it is immaterial whether they are married. Associate Provost Clark agreed and pointed out that couples don’t have any advantage over singles. Prof. Kurtz proposed that we treat married and unmarried couples equally. Further discussions revealed that unmarried heterosexual couples actually have an advantage here: If they were to adopt, both would be eligible for 10 days’ adoptive leave.

Prof. Tachau returned to Prof. Berman’s point that it was confusing to consider the cost of the policy, as the university is committed to paying sick leave, and maternity leave is just one use of sick leave. Prof. Berman continued with her interpretation that this is not money that could have been used for something else—one is still using up sick leave. Associate Provost Clark clarified that the cost comes in at the time of retirement, when unused sick leave is paid back (albeit at a very low rate). Prof. Berman pointed out that this cost is not coming from a fund that otherwise could be used to pay for undergraduate scholarships, for example.

Prof. Hunsicker moved and Prof. Nixon seconded the following:

**MOTION:** To approve the policy. *The motion carried.*

President Bhattacharjee reported that the Senate has been working with Staff Council on several projects, most of which are still in progress. A major one has been fact gathering for the proposal by James Sutton about the establishment of a PAC. The Senate had felt that it was our responsibility to get this idea out to the faculty, even though neither Faculty nor Staff Council endorses establishing a PAC at this university.

Pat Kenner reported that UI SMART is still running. Especially during times of financial difficulties, one looks for ideas for reducing waste from the people who know the system. UI Smart is still ongoing, and Staff Council is looking for volunteers to evaluate proposals. She added that one could submit ideas online. She reported on one idea, which is to develop a mechanism to identify staff and faculty as state employees. This would be useful when traveling, especially out of state, for getting hotel discounts. This idea has been forwarded to the State.

#### IV. Unfinished Business: CIC Resolution on Intercollegiate Athletics, Guidelines for Reporting by the Board in Control of Athletics and the Cox Resolution.

President Bhattacharjee reminded the Senate that we had previously passed the CIC resolution as amended by deletion of the provision that no academic funds be used to support athletics. At the last Council meeting, BICOA guidelines were discussed. President Bhattacharjee had drawn up these guidelines, in consultation with other CIC Faculty Senate presidents to ensure common language. There had also been a request from Faculty Senate Officers to get a breakdown of the use of funds coming from the General Fund. This information was provided by Doug True and Ted Yanacek, and summarized in a handout prepared by President Bhattacharjee, which he explained in more detail. "Total for year" is the new amount added to previous year's amount. "GE" refers to general expenses, such as travel. These allocations represent the commitments made to Women's Athletics and to Christine Grant. The increases result from more and better scholarships. He pointed out that it is a linear increase. He reported that Vice President True did not think that the amount would ever decrease, but was more likely to continue at the same pace. "Reversion" referred to the cut from the governor. He pointed out that this reversion represents a significant cut, a much higher percentage than the cuts suffered by academic units.

Prof. Kurtz wanted clarification regarding use of general funds, assuming that it meant direct costs, but not heat, lights, or electricity. Also, regarding the guidelines, he felt that the reports on graduation rates, honors going to athletes, and so on, would be meaningful only in comparison to nonathletes, so, he would want that information in the report as well. He also wanted to know why allocations were labeled for Women's Athletics and not (plain) Athletics. Addressing the second point, General Counsel Schantz explained that when the two programs were separate, there was a direct transfer from the General Fund to Women's Athletics. Now, after merger, this practice is simply an accounting tool. Prof. Kurtz understood that, but predicted that in future years will it be labeled as "Athletics." General Counsel Schantz explained that allocations are currently formula driven, and it would take some action to change that. Prof. Tachau asked how continuing this subsidy would ever provide an incentive to achieve gender equity by men's athletics. Prof. Mangum observed that the rhetoric puts us in the position where, with any thoughts

of how to change this expenditure, we keep coming back to how they might hurt women's athletics. General Counsel Schantz pointed out that allocations from the General Fund didn't start at zero in 1996. Prof. C. Ringen supported Prof. Mangum's view that we are treating this issue as the threat that if we take this money away, we will hurt women's athletics.

Prof. Raymond thought we were not seeing the whole picture: men's costs are also increasing. She viewed it as an accounting ploy to specify where certain moneys are being spent. President Bhattacharjee found it subversive to say that in order to achieve gender equity it must be subsidized. Prof. Menninger asked whether Title IX ties the amount of expenditure on women's programs to that on men's programs. General Counsel Schantz responded that that is a part of it. Another component is participation. Prof. Menninger feared that as men's expenditures increase, if women's expenditures must be tied to it, then the General Fund will need to contribute even more with each year. Prof. Cox observed that the way the argument has been framed rhetorically it has been putting the blame on women (an old tradition, he noted) whereas it is really a way to protect nonrevenue men's sports. Prof. Hunsicker understood exactly that this subsidy supports nonrevenue sports, and shared Prof. Menninger's concern that the tying of the two budgets will result in huge costs to the General Funds. If he had to choose between a biology professor and a baseball team, he would choose the former.

Prof. Tachau thought we should keep in mind that each of us first makes sure that our mortgage gets paid each month, and other purchases are made after that is accomplished. The university should view attaining equity under Title IX for women's athletics as a mortgage, which should be paid first. After that is covered, then the disposable income can be used to increase coaches' salaries, etc. Prof. Slatton reminded the Senate that support from the state was dramatically cut to zero by late 1980's. Something had to be done when new sports were added. She also thought it is incorrect to think that if there is no state funding, there can't be equity. The university is legally bound and morally committed to meeting equity. But, using state money is defensible as a reflection of the state's commitment to athletics. We want to support it. We can't both say, "No state money" and also demand no commercialization of athletics. Prof. LeBlond concurred, saying that at present we criticize athletics for running like a business and then demand that it generate all its money. He thought there was nothing inherently wrong in supporting athletics, but wanted the faculty to develop a dialogue with BICOA.

Prof. Kurtz voiced his support for giving money to athletics. His concern was how we package that support. By calling it "women's athletics" we are putting a burden on it that is not fair. Prof. Tachau pointed out that what is a trivial amount in athletics is significant in academic units. Prof. Mangum agreed with Prof. Kurtz that there are two issues, one more symbolic than material. We need to separate the decision that some money from the General Fund will continue go to athletics vs. how that money is spent.

Prof. Hunsicker moved and Prof. Kurtz seconded the following:

**MOTION:** To accept these guidelines.

Prof. Colangelo repeated that there's no such thing as Women's Athletics now. He felt that what BICOA owes faculty is a good accounting of how money is spent and what would happen if General Fund support were to be cut. He believed that BICOA would be behind this accounting. One way to ensure accounting is a yearly report from BICOA to the Faculty Senate. He also pointed out that BICOA meetings are public, by law. Prof. Tachau asked whether BICOA would be comfortable with providing a breakdown of graduation rates by sex and sport. Prof. Slatton answered that this information is already being gathered, so they can easily provide this. On a year-by-year basis, it is often difficult to protect privacy, so this information may have to be provided in terms of a 5-year basis. She also urged more attention on academic issues, rather than the budget.

**MOTION:** (from above) To accept these guidelines. *The motion carried.*

President Bhattacharjee then introduced the Cox resolution. There had been an earlier version that was passed by the Faculty Council, but tabled by the Senate. The Council has passed the new version. Prof. Cox began by withdrawing his old version from consideration. He explained that the purpose of his resolution was to tie reporting with funding. He also desired that this discussion be continued next year. Item 4 of the resolution had to do with some peculiarities of this campus, where we have taken a very high moral ground with regard to alcohol use. Yet, we sell our sports to beer makers. We take money from Anheiser-Busch, while at the same time 10% of our undergraduate males are arrested on drug and alcohol charges. This arrest rate is three times that of Story County. We lead the nation in arrests for drug and alcohol charges, and second isn't even close. He pointed out that it is damaging to have an arrest record, and felt that we should take special care to prevent it.

Prof. Kurtz felt that the resolution was underambitious. He would like to know also what steps were considered but not taken. He suggested that the recent actions of the University of Kentucky with regard to monitoring athletics should guide us. President Bhattacharjee pointed out that these things are included in the guidelines that we had just passed. Prof. Nixon also saw a danger in reporting on what has been considered but not done as well as what was done, as that was likely to produce a blizzard of information. He advised keeping the reporting limited, or else we would waste even more time talking about this. Prof. Magnum suggested that an Item 5 be added to ask for reporting on academic progress. Prof. Cox pointed out that BICOA is doing a great job already in reporting on academic achievement. Prof. Nixon viewed this as a positive first step. Prof. Berman suggested that Item 5 require a report back to faculty on programs that athletics use to ensure that athletes are successful academically, as they would be helpful to nonathletes as well. Further discussion resulted in the conclusion that the requirements contemplated for an Item 5 may be redundant. Prof. Hunsicker called the question, seconded by Prof. Kurtz. *The motion carried.*

**MOTION:** To accept the Cox resolution. *The motion carried.*

## V. Motions from the Floor

Prof. Nixon moved and Prof. Colvin seconded the following:

**MOTION:** The Faculty Senate asks the Faculty Council to organize a “Faculty Bake Sale” and/or other Faculty Fund Raising Activities for the purpose of raising funds to replace the reduction in State Funding for the University General Fund.

Prof. Nixon explained the rationale for his motion. Some \$40 million has been lost from the state. Whereas a bake sale would be unlikely to restore even 1% of that loss, it would let the faculty do something. It is extremely frustrating to the faculty that good academic programs suffer from lack of funds. Such an activity would empower us. This could be viewed as a nonviolent protest against cuts that have hurt the university. He also thought that there would be a public relations aspect to this. Prof. Kurtz asked whether the funds generated would be given to the General Funds, i.e. to Jessup Hall and not to the Foundation. Prof. Nixon said they would go to the General Fund. Prof. Colvin suggested having multiple sales. Prof. Berman was worried about the implication that faculty have time for baking. Prof. Menninger agreed, and added that there would be considerable costs associated with the level of baking he expected from his colleagues. President Bhattacharjee, mindful of its packed agenda, politely declined to put on this item on the agenda of Faculty Council. Prof. Hunsicker applauded the idea of involvement, but respectfully asked Prof. Nixon to withdraw his motion. He thought it could be broadened to state that faculty have not done enough to involve ourselves with the budget cuts.

President Bhattacharjee suggested that this could go to the Government Relations Commitment. Prof. Lynch pointed out that President Coleman had already urged us to go out to tell communities what we do for the state. Prof. Hunsicker thought that this is something different, that the faculty need to decide to do something specifically about the loss of funds. He thought this would be harmless. Prof. Lynch disagreed, and feared that faculty could be expected to be doing something more creative. Prof. Kurtz humorously predicted that if we did this, one legislator might say to another, “Let them eat cake.” Prof. Polumbaum thought this would be wonderful as a PR activity. We are real people; we can do things like volunteer for our kids’ schools. A bake sale might be an easy way to galvanize a large group of people to do something. Prof. Wasserman thought it would be more effective if it were targeted to a scholarship fund, rather than to the General Fund. Prof. Tachau offered the friendly amendment that the Faculty Senate requests that Prof. Nixon organize it. Prof. Nixon agreed to do so.

**MOTION:** (from above), with the amendment that any proceeds go toward student support. *The motion carried with a vote of 15 for, 10 against.*

## VI. Adjournment

The meeting was adjourned at 5:18.

Respectfully submitted,

Erin Irish, Secretary

