

**FACULTY SENATE**  
**Tuesday, September 14, 2010**  
**3:30 – 5:15 pm**  
**Senate Chamber, Old Capitol**

**MINUTES**

- Senators Present: D. Anderson, E. Anderson, M. Billett, D. Black, C. Bohannon, H. Butcher, A. Campbell, J. Canady, J. Cox, L. Fielding, B. Gollnick, W. Haynes, M. Hill, D. Jeske, M. Johnson, D. Katz, C. Kletzing, K. Kreder, S. Kurtz, V. Magnotta, T. Mangum, J. Menninger, J. Murph, J. Niebyl, J. Pendergast, G. Penny, J. Polumbaum, J. Reist, K. Sanders, J. Schoen, C. Scott-Conner, C. Sponsler, S. Staggs, T. Stalter, H. Stecopoulos, K. Tachau, R. Valentine, T. Vaughn, W. Vispoel, R. Wachtel, J. Wadsworth, L. Wang, E. Wasserman, J. Wilcox, S. Wilson, K. Wolfe, J. Wood.
- Officers Present: E. Dove, D. Drake, R. Fumerton, J. Garfinkel.
- Senators Excused: N. Andreasen, S. Bishara, E. Lawrence, S. Levy, P. Mobily, S. Schultz.
- Senators Absent: J. Bertolatus, D. Bonthius, S. Clark, W. Coryell, E. Ernst, M. Fang, M. Finkelstein, S. Gardner, E. Gidal, T. Gross, L. Kirsch, J. Kline, B. Levy, B. McMurray, R. Mutel, N. Nisly, B. Rakel, L. Robertson, T. Schnell, P. Snyder, J. Wemmie, N. Zavazava.
- Guests: J. Carlson (Office of the President), G. Dodge (Chief Diversity Officer), B. Ingram (Office of the Provost), L. Larson (University Relations), W. Loh (Provost), T. Rice (Office of the Provost), R. Saunders (Benefits and Payroll), A. Sullivan (*Daily Iowan*), D. Thomas (International Programs), R. Williams (Obermann Center), L. Zaper (Faculty Senate)

I. Call to Order – President Dove called the meeting to order at 3:30 pm. <http://www.uiowa.edu/~facsen/archive/documents/Agenda.FacultySenate.09.14.10.pdf>. He introduced himself and the three other Faculty Senate officers for 2010-11 (Edwin Dove, Biomedical Engineering, President; Richard Fumerton, Philosophy, Vice President; Jon Garfinkel, Finance, Secretary; David Drake, Dows Institute, Past President), as well as Laura Zaper, the Faculty Senate Program Assistant.

II. Approvals

- A. Meeting Agenda – Professor Tachau moved and Professor Wilson seconded that the agenda be approved. The motion carried unanimously.

- B. Faculty Senate Minutes (April 27, 2010) – Professor Vaughn moved and Professor Billett seconded that the minutes be approved. The motion carried unanimously.
- C. Committee Replacements (Richard Fumerton, Chair, Committee on Committees)
- Ken Mobily (Integrative Physiology) to fill a vacancy on the Council on Teaching, 2010-13
  - Kevin Mumford (History) to fill a vacancy on the Conflict of Interest in Employment Committee, 2010-13
  - Ed Wasserman (Psychology) to replace Dee Morris (English) on the Faculty Council for the Fall 2010 semester
  - Katherine Wolfe (Music) to replace Dee Morris (English) on the Faculty Senate for the Fall 2010 semester
  - Matthew Hill (Anthropology) to fill the unexpired term of Michael Sauder (Sociology) on the Faculty Senate, 2010-12
- Professor Tachau moved and Professor Schoen seconded that the replacements be approved. The motion carried unanimously.

### III. New Business

- *Funded Retirement and Insurance Charter Committee (FRIC) Update (Shelly Kurtz)*  
Professor Kurtz explained that each year he presents an update on the activities of the Funded Retirement and Insurance Charter Committee to the Senate, along with a preview of any changes to the benefits system for the upcoming year and topics that FRIC plans to consider in the months ahead. He reminded the group that several years ago the committee had made recommendations to President Mason regarding the re-structuring of the flex credit system. In the wake of some dissatisfaction on campus with these recommendations, President Mason requested that FRIC re-evaluate the recommendations. The committee did so, but concluded that significant cost savings could not otherwise be reached. Therefore, the original recommendations were resubmitted to President Mason and will go into effect on January 1, 2011.

Professor Kurtz then described some of these changes to go into effect. Employees who sign up for a single health plan will receive that plan for free. Employees who sign up for a family health plan will end up paying about 20% of the cost of that plan from their salaries; previously employees paid about 25% of the cost of the plan. Couples of which both members are university employees will receive a family plan for free; previously there was some cost for such couples to obtain a family plan. Similar changes will be made to the dental plans. Professor Kurtz noted that employees who purchase health insurance from a spouse's employer will receive a \$200 credit for doing so. Regarding group life insurance, the university will provide up to two times the employee's salary in life insurance for free, up to \$400,000. Additional life insurance can be purchased through a supplemental plan. Every employee will be provided with \$90 monthly to put toward the purchase of other insurance products or toward a dependent care or health savings account. He cautioned the group that the enrollment forms will look different this year because of these changes.

Turning to the issues that FRIC anticipates addressing next calendar year, Professor Kurtz commented that the Chip II health plan could well be eliminated by the end of 2011, leaving UI Choice as the only health plan available to employees. Chip II has reached a point at which it is

no longer efficient to operate given the low number of enrollees. For the overwhelming number of employees, UI Choice is a more appropriate plan. Chip II, however, does provide for obtaining health care out of state with a low co-pay, unlike UI Choice. FRIC will be considering how to re-structure UI Choice so that it also offers this benefit. He requested that any suggestions for improving UI Choice overall be sent to FRIC members.

- *Obermann Graduate Institute on Engagement and the Academy (Rachel Williams, Teaching and Learning)*

Professor Williams requested that senators pick up the handout on the Obermann Graduate Institute on Engagement and the Academy that she had brought to the meeting. The institute, co-sponsored by the UI Graduate College, provides an opportunity for UI graduate students to “explore how civic engagement can enhance teaching, research, and creative work.” The institute will run January 11-17, 2011. The application deadline is Monday, October 22.

- *Sexual Harassment Policy Revision (Jonathan Carlson, Office of the President)*

President Dove explained that last spring the Faculty Council had approved a proposed revised version of the sexual harassment policy; however, at the following Faculty Senate meeting, several concerns were raised about the policy and the Senate did not take a vote on it. Additional revisions were subsequently made to the policy to address those concerns and Professor Carlson had come to the Senate to present the policy once again for approval.

Professor Carlson reminded the group that the sexual harassment policy had been revised to ensure consistency with the sexual misconduct policy. The same consultants who worked on the sexual misconduct policy also worked with a campus project team to revise the sexual harassment policy, following the gathering of input from a variety of constituents.

Turning to a discussion of the issues raised by senators last spring, Professor Carlson indicated that those concerns included how the policy’s provisions would apply to students in a clinical setting in the field; Professor Carlson had discussed this topic with Professor Wadsworth, who had raised the issue, and addressed those concerns. Professor Wadsworth confirmed that this was so. Another issue raised was the due process rights of accused faculty, particularly those who are not informed of the accusation. To address this concern, the project team made additional revisions (in some cases reverting to the original language of the policy). These new revisions include provisions that disciplinary action would not be taken against the accused and a record would not be kept in the accused’s personnel file if the accused had not been informed of the accusation, nor would the accused’s name be included in any reports on the incident. Professor Kletzing asked if any other reports would be kept in other locations, noting that this had been of concern to senators. Professor Carlson responded that it was possible that the individuals involved in the resolution of the case would have personal notes or files on the matter, but that the institution would not maintain such a report or file. He reiterated that, if the accused is not informed of the allegation, nothing would appear in the accused’s personnel file and the official report produced about the matter would contain no names. From the institutional perspective, this is all the documentation about a case that would exist. He stated that he could not guarantee that the accused’s name doesn’t appear anywhere in connection with the allegation.

Professor Menninger followed up by noting that he had counted at least seven individuals mentioned in the policy who would have access to information about an incident. He asked if notes made by these individuals could be discoverable in a court action. Professor Carlson

indicated that that was possible. Professor Menninger continued, commenting that he remained concerned that no investigation was undertaken during an informal resolution. This leads to a situation in which an accusation is made, the accused is not informed, there are people who know something about the incident, and there may be notes on the matter that are legally discoverable. Professor Carlson responded that the accused during an informal resolution may well be informed (the policy does not prohibit it) and that those who deal with the matter will try to gather information about the allegation, although not necessarily through speaking to the accused. Professor Menninger noted that this information gathering is not required by the policy. Professor Carlson said that an informal resolution will not result in disciplinary action except in accordance with established disciplinary procedures, which in the case of faculty will be governed by the Faculty Dispute Procedures (and would include an investigation). He added that the process of informal resolution has never included a provision for investigation, therefore giving the person handling the matter some discretion in how best to resolve the issue, such as simply moving the accuser (e.g., to another work space or course section).

Professor Menninger then referred to a provision in the policy that discusses behavior that, if repeated, could rise to the level of sexual harassment. Professor Carlson explained that a supervisor can intervene early on and counsel the person to cease such behavior. In this situation, the person could respond that the alleged incident had not occurred. Professor Menninger expressed dissatisfaction that the policy appears to assume that an allegation is a “done deal” in the case of the informal resolution. Professor Carlson commented that there are a wide variety of situations in which an informal resolution is used. Those supervisors resolving the situation are given wide flexibility to arrive at a solution. The policy should not exert an undue amount of control over supervisors. Professor Menninger stated that, in his opinion, the policy strikes an inappropriate balance between due process on the one hand and informality and flexibility on the other. Professor Carlson responded that since any disciplinary action could only be undertaken according to established guidelines and the formal process, he did not feel that due process was compromised.

Professor Tachau commented that the issue of discoverable, incomplete notes about an unfounded allegation was a serious problem that should be addressed. She also brought up the possibility of gossip and rumors surrounding an incident. Professor Carlson reminded the group that this policy has been in effect for about 20 years and during that time he was not aware that there had ever been an instance when such notes had come to light. Regarding rumors, he stated that the policy directs those with knowledge of the allegation not to talk about it in the workplace. Additionally, steps can be taken to restore the reputation of the accused if it has been damaged. These steps would include letters written to those who know of the allegation informing them that the allegation is unfounded or unsubstantiated.

Professor Pendergast commented that she could recall instances when individuals were unsure whether an event was a form of sexual harassment and therefore discussed the event with a large number of people. Gossip can begin this way, leading to damaged reputations. Professor Menninger commented that line 371 of the policy states that any disciplinary action taken under the policy will be governed by procedures referred to earlier in the policy. He noted that this provision occurs in the section on informal resolution, and asked if disciplinary action is contemplated in the informal resolution. Professor Carlson stated that it is not, but that this paragraph serves to remind the reader about the procedures to be followed in case disciplinary action is ever taken in any sexual harassment case. Professor Kletzing urged that effort should be made during an informal resolution to substantiate an accuser’s claims, even if a full investigation is not undertaken. He commented that the policy should not just rely on the good will of those resolving the situation to take appropriate action. Professor Carlson explained that

responsibility for the resolution was moved to associate deans and senior human resources representatives away from supervisors in general because the former is a small group that can be trained in resolution strategies. Professor Bohannon observed that a required investigation could potentially be more harmful to the accused's reputation than an informal resolution, while noting that the prospect of a formal investigation could discourage reporting.

Past President Drake moved and Professor Scott-Conner seconded that the Faculty Senate endorse the August 2010 draft revision of the sexual harassment policy with the suggested modification in training (that associate deans and senior human resources representatives be trained in informal resolution strategies that include some sort of fact-finding). The motion carried with one dissenting vote.

President Dove noted that the policy will be reviewed within three years after implementation.

- *Report on Faculty Council/Administration Retreat (Ed Dove) and UI Strategic Plan 2010-16 (Provost Wallace Loh)*

President Dove reminded the group that in the spring of 2009, President Mason had asked Executive Vice President and Provost Wallace Loh to lead a campus-wide effort to develop a strategic plan for 2010-16. As part of this effort, Provost Loh appointed six task forces, composed of faculty and staff, with the charge to offer ideas and recommendations to shape the academic direction of the university and thus contribute to the formation of a new strategic plan. The task forces submitted their reports in February, 2010. In April, 2010, the Board of Regents, State of Iowa, approved its own strategic plan, which set a general direction for the strategic plans of the three Regents institutions. The institutions were given a deadline of September 16, 2010, to submit their individual plans. Over the summer, the Faculty Senate officers along with many other faculty members consulted with Provost Loh on the various drafts of the strategic plan. At the August 19 Faculty Council/Administration Retreat (attended by Faculty Councilors, central administrators, deans, and guests), aspects of the strategic plan were discussed in depth. These topics included the first-year experience, recruitment and retention, diversity, wellness, outcomes assessment, and different models for delivery of education. The Faculty Council continued its discussion of the strategic plan at its August 31 meeting. President Dove noted that, ideally, the Faculty Senate would have had a chance to discuss the strategic plan as well prior to its submission to the Board of Regents; however, the Faculty Council represents the Faculty Senate when the Faculty Senate is not in session. The timetable set for submission of the strategic plan could not be altered.

Provost Loh commented that it had been a great pleasure working with the Faculty Senate officers on the strategic plan over the summer. He added that the current version is the tenth or eleventh draft of the plan. He explained that Regents President David Miles, recognizing the importance of shared governance, had granted a dispensation allowing for discussion of the strategic plan between Provost Loh and the Faculty Senate prior to the September 16 Regents meeting at which the plan will be presented.

Provost Loh stated that the strategic plan is not a document that provides answers. Rather, it is a framework for engaging with the important issues that face the university over the next five years. Those issues are, where is the university going in this current social and economic climate and how are we going to get there? The answers to those questions may change over the next few years, but the importance of discussing these issues remains. He stressed that the development of the plan has been, and will continue to be, a dialectical process between faculty and administration, as nearly every idea in the plan had been advocated by one of the six strategic initiative task forces.

The strategic plan renews the fundamental idea that the university must continue to improve in its teaching, research, and service missions and in its service to the people of Iowa. The planning context, however, includes the Great Flood, the Great Recession, and the comprehensive campaign. Although the flood devastated the university, it also created a tremendous opportunity to re-shape areas of the campus, including new facilities for the performing arts. Other major building projects anticipated are an undergraduate residence hall and a “learning commons” for the main library. This is an unprecedented opportunity to re-conceptualize how the arts are presented, taught and performed on campus. The comprehensive campaign will span nearly the same time period as the strategic plan. The last comprehensive campaign raised one billion dollars and the UI Foundation hopes to exceed that goal with the new campaign. Regarding the Great Recession, Provost Loh reminded the group that about 23% of the university’s state appropriations “vaporized” over the course of 15-16 months. A number of faculty lines and teaching assistantships disappeared. He commented that it is difficult to foresee how the economy will fare in the years ahead, but the condition of the economy will have major implications for the strategic plan. There may be a recovery, or a jobless recovery, or something in between. The strategic plan is based on this third possibility, which envisions state appropriations remaining flat or even rising slightly. Any increase in appropriations would go towards retention and recruitment of faculty and staff, as well as dealing with the effects of inflation. This would leave nothing for academic enhancements.

Provost Loh sought to place American higher education’s current situation within the global context. He commented that we now find ourselves living in a “new normal” of financial constraint following many years of unprecedented prosperity and steady growth. As the federal budget is increasingly consumed by debt and entitlement programs, there will be less money available to the states, and therefore less money for higher education. While investment in the Regents institutions may be the best investment for the state of Iowa to make, given the return on every dollar spent on these institutions, there are many other state agencies in need of funding. Unlike the universities, these other agencies cannot generate any of their own revenue. Given this economic picture, the University of Iowa may need to operate differently during the next few years than it has in the past. The university may need to search for other revenue streams while taking cost-saving measures.

Provost Loh then spoke about one particular emphasis of the strategic plan – student success. Components of student success include quality, access, and affordability. It is a goal of the strategic plan to provide the best student-centered education possible which encompasses opportunities to participate in freshman seminars and living-learning communities, as well as research and service experiences. Retention and graduation rates are projected to rise as a result. Provost Loh further noted that the demography of the United States is changing. Iowa has a graying population; the number of high school graduates in the state will soon begin to decline. Aggressive recruitment efforts around the country and the world will need to increase. Also, Iowa’s immigrant population is expanding; students from new immigrant communities may need additional support services to succeed at the university. The strategic plan does not advocate for doing more with less, Provost Loh stated. Instead, the university must contain costs and operate more efficiently. Faculty have a key role to play in these efforts.

A central challenge the university currently faces to increase its eminence as a research university is to increase the number of tenure-track faculty lines. Provost Loh noted that the university has had great success in recruitment, with the current first-year class larger by 400 students than last year’s class. Student diversity has also increased, as has the retention rate. He presented a hypothetical situation in which the university increases enrollment each year until

1400 additional students are enrolled. To teach this increased student body, approximately 117 additional faculty members would be needed, at a cost of \$12 million if the current ratio of tenure-track to non-tenure track faculty is preserved. If the current percentage of tenure-track faculty is increased from 47% to 50%, then 126 new hires would need to be made, at a cost of \$17 million. If, however, the university hires no additional new faculty members, but increases the number of students per section on average by two (with specific decisions made at the collegiate level), the cost would only be \$4 million. The money saved could be put toward other initiatives, such as faculty research. Provost Loh thus concluded his presentation and President Dove asked for questions.

Professor Wilcox commented that higher expectations for both teaching and research productivity proposed in the strategic plan could put faculty under increased pressure; he also expressed concern that an increase in teaching loads could lead to a de-emphasis on research. Provost Loh acknowledged that this was a good point. He noted that over the past 40 years there has been a steady erosion throughout the country in the proportion of tenured/tenure-track faculty to non-tenure-track faculty. He opined that this shift undermines the character of a research university such as the University of Iowa, with its current ratio of 47% tenured/tenure-track faculty, and creates a *de facto* teaching track. He reminded the group that several years ago, former president David Skorton and former provost Michael Hogan had raised faculty salaries, which at that time were at the bottom of the Big Ten. As a trade-off, some faculty lines were lost. As a consequence UI ended up with a smaller, better-compensated tenured/tenure-track faculty but the number of non-tenure-track faculty increased dramatically. Additional tenured/tenure-track faculty lines were lost during the recent budget cuts. This trend of lost faculty lines cannot be sustained. Provost Loh commented that every college has some faculty members who, although they successfully fulfill their teaching and service duties, no longer engage in substantial research. Acknowledging that while a 40-40-20 split between teaching, research and service is ideal, Provost Loh expressed the opinion that such faculty could be asked to teach more. This is one method of cost-saving. Other cost-saving measures could include a greater use of technology for teaching basic-level courses. Colleges should be given the latitude to make these important cost-saving decisions.

Professor Cox commented that the strategic plan included some good points, but also contained some fundamental flaws. In his opinion the strategic plan strikes a tone of defeatism regarding state appropriations. He advocated for adding a statement to the plan to the effect that it is impossible to achieve any of the plan's goals without an increase in the state appropriations and that the university supports the Board of Regents, State of Iowa in the BOR's requests for additional state funding. He expressed dismay that the university administration has not been asking the state legislature for additional funding. Professor Cox cautioned that UI is at risk of losing its ranking among the top 30 public universities in the country – these rankings are largely based on the reputations of faculty's scholarly research. He also objected to the notion of relegating some research faculty to a tenured teaching track as not befitting a university of this caliber.

Given the discussion of increased faculty productivity, a senator asked what plans had been made to increase the productivity of university administration. Provost Loh reminded the group of a five-page memorandum he had distributed some months ago outlining in a very transparent manner how the university proposed to absorb the \$63 million budget reduction. Among the steps taken was the cancelation of the \$20 million planned renovation of the Pentacrest. The Division of Finance and Operations experienced far more reductions than any academic unit on campus. Provost Loh also took issue with Professor Cox's comment that university administration had not been advocating for increased funding from the state and said that the

administration had been working continuously on this very issue. Professor Cox said that he had heard no public statement to this effect. Provost Loh responded that these are not matters to be discussed in public. Professor Cox countered that they should be and that it is an expectation of central university administration to advocate for public spending on public higher education. Provost Loh answered that sensitive budget negotiations are not done in public, in Iowa or anywhere else. Professor Tachau commented that the issue was not so much about making specific budget negotiations public, but rather that the central administration advocate openly in a more general way for the university. She stressed that we need to remind Iowans of the value of public higher education so that Iowans in turn will persuade their legislators of the need for increased funding for the universities. In the history of the university, there have been central administrators who have done this.

Professor Jeske commented that for those faculty who carry the brunt of the teaching load, being asked to teach additional students does amount to doing more with less, in contrast to what Provost Loh had earlier stated about the strategic plan. She continued, that teaching encompasses not only classroom time, but much time spent grading, holding office hours, advising, supervising undergraduate honors theses and graduate student work. Research already suffers in these conditions, and faculty will only be more pressed for research time if teaching loads increase. Provost Loh agreed that these are difficult times for faculty across the country and that although he hoped for better economic circumstances in the future, he needed to plan for a less optimistic scenario and the strategic plan reflects that. He then mentioned that he had been told by a dean that a particular college had 35 faculty who only teach an average of 30 students per year. That dean had stated that if those 35 faculty were to teach more students per year, the college would no longer face pressing financial problems. Provost Loh stated that this is a time for the university to pull together to meet its financial challenges. He added that it is the deans who make the “on-the-ground” decisions for the colleges and reiterated that we must look at other methods of cost-saving also, such as more on-line courses and more summer courses.

Professor Williams noted that students interact with staff as well as faculty and this interaction can play an important role in students’ experiences at the university, recruitment, and retention. She suggested looking into efficiency enhancements such as, for example, making assistance with financial aid matters available to students outside of regular work hours. The burden of increased efficiency and cost-saving cannot be borne by faculty alone; neither are faculty solely responsible for student success. Provost Loh concurred and lauded the recent efforts of Registrar’s Office staff to contact academically at-risk students and provide them with support, thereby contributing to the rise in the university’s retention rate. Referring to the strategic plan’s goal of creating 100 tenure-track “cluster” positions, Professor Bohannon asked whether this might be a goal more appropriate for times of plenty, when resources are available for experimental initiatives, rather than for the current times of scarcity, when resources are better directed toward maintaining existing quality. She noted that in her college, because of unfilled key faculty lines, there is sometimes a struggle to provide students with the basic courses to obtain their degrees in a timely manner. Provost Loh responded that the cluster hires are in addition to normal hires, not in place of them. He added that it is the deans who decide which faculty positions to fill and which to leave vacant, in order to put resources towards other priorities. He reminded the group that the major funding agencies (NIH, NSF, etc.) are directing increasing amounts of research dollars towards interdisciplinary topics such as aging and sustainability (some of the topics for which cluster hires are contemplated).

Professor Cox moved that a statement be added to the strategic plan acknowledging the centrality of increased state appropriations to the accomplishment of the goals stated in the



plan, and that the Faculty Senate President communicate this same idea to the Board of Regents, State of Iowa. The motion was not seconded.

Professor Tachau moved and Professor Kurtz seconded that the Faculty Senate thank Provost Loh for informing the Faculty Senate of the contents of the strategic plan prior to the plan's consideration by the Board of Regents, State of Iowa. The motion carried unanimously.

President Dove stated that he had enjoyed working with Provost Loh during the summer on the various drafts of the strategic plan. He acknowledged that he had not always agreed with Provost Loh, but he was confident that Provost Loh always had the best interests of the university at heart. President Dove congratulated Provost Loh on being selected as the new president of the University of Maryland and wished him well in his new position. The Faculty Senate gave Provost Loh a round of applause.

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

V. Announcements

- The next Faculty Council meeting will be Tuesday, October 5, 3:30-5:15 pm in the Seminar Room (2520D), University Capitol Centre.
- The next Faculty Senate meeting will be Tuesday, October 19, 3:30 – 5:15 pm in the Senate Chamber, Old Capitol.
- President Dove announced the selection of the interim provost, Dean P. Barry Butler of the College of Engineering. The Faculty Senate applauded. In response to a question from Professor Kurtz, President Dove confirmed that a faculty-driven, national search will be conducted for a permanent provost. A search committee will be formed shortly. The Faculty Senate's Committee on the Selection of Central Academic Officials, chaired by Past President David Drake, is compiling names of potential search committee members for submission to President Mason. The permanent provost position is expected to be filled as soon as possible.

VI. Adjournment – Professor Tachau moved and Professor Kurtz seconded that the meeting be adjourned. The motion carried unanimously. President Dove adjourned the meeting at 5:25 pm.