

FACULTY SENATE
Tuesday, December 4, 2012
3:30 – 5:15 pm
Senate Chamber, Old Capitol

MINUTES

- Senators Present: F. Abboud, T. Anthony, C. Benson, C. Bohannon, A. Budd, D. Cunning, S. Daack-Hirsch, W. Davies, S. Ehly, E. Epping, R. Ettinger, L. Fielding, J. Fuller, K. Gerken, F. Gerr, C. Getz, N. Grosland, D. Jeske, Z. Jin, D. Katz, K. Kieran, S. Levy, V. Magnotta, K. Markon, B. McMurray, D. Murry, J. Murry, F. Nothwehr, J. Pendergast, L. Ponto, S. Richardson, S. Seibert, J. Sessions, K. Tachau, T. Treat, W. Vispoel, E. Wasserman, D. Wilder, E. Ziegler.
- Officers Present: R. Fumerton, E. Lawrence, N. Nisly, L. Snetselaar.
- Senators Excused: D. Anderson, K. Chandran, J. Fiedorowicz, M. Finkelstein, W. Haynes, K. Kreder, B. Levy, J. McNamara, P. Muhly, J. Niebyl, A. Rodriguez-Rodriguez, J. Solow, A. Thomas, S. Wilson.
- Senators Absent: J. Adrain, L. Ayres, I. Barbuzza, N. Basu, J. Bertolatus, D. Black, D. Bonthius, J. Brown, S. Clark, W. Coryell, E. Ernst, S. Gardner, B. Gollnick, D. Hasan, B. Hoskins, M. Johnson, G. Lal, J. Murph, D. O'Leary, R. Rocha, S. Schultz, J. Wemmie, S. White, R. Williams.
- Guests: G. Dodge (Chief Diversity Officer), D. Drake (Office of the President), R. Jain (*Daily Iowan*), S. Johnson (Office of the Ombudsperson), M. Lukas (Office of the General Counsel), L. Marshall (UI Foundation), T. Rice (Office of the Provost), L. Rubin (Office of the President), D. Triplett (UI Foundation).

- I. Call to Order – President Snetselaar called the meeting to order at 3:35 pm.
<http://www.uiowa.edu/~facsen/archive/documents/Agenda.FacultySenate.12.04.12.pdf>.
- II. Approvals
- A. Meeting Agenda –President Snetselaar indicated that a new item had been added to the agenda, *Sustainability Charter Committee*. Professor Pendergast moved and Professor McMurray seconded that the revised agenda be approved. The motion carried unanimously.
 - B. Faculty Senate Minutes (October 30, 2012) – Professor Treat moved and Professor Pendergast seconded that the minutes be approved. The motion carried unanimously.
 - C. Committee Replacements (Erika Lawrence, Chair, Committee on Committees)

- None at this time
- D. Faculty Senate Elections Vacancy Tally (Linda Snetselaar) – President Snetselaar indicated that there would be elections in the colleges of Business, Dentistry, Education, Medicine, and Liberal Arts and Sciences only. She urged senators from those colleges to encourage their colleagues to nominate themselves or others for vacancies and also to vote. Professor Ziegler moved and Professor Pendergast seconded that the Faculty Senate Elections Vacancy Tally be approved. The motion carried unanimously.

III. New Business

- *Office of the Ombudsperson Annual Report (Susan Johnson, Faculty Ombudsperson)*

Professor Susan Johnson, Faculty Ombudsperson, indicated that each year Ombudspersons make a presentation to the Faculty Senate following the release of the office's annual report. She referred the group to the report's summary page and pointed out various statistics listed there. Professor Johnson noted that the number and percentage of faculty, as well as the numbers and percentages of staff, students and others, visiting the office in the past year (FY 2011-12) had remained consistent with the numbers from earlier years. She added that the term *faculty* in this statistic referred to regular faculty only, and not to lecturers or adjuncts. Statistics on visitor demographics have also remained consistent over the past few years; women and racial/ethnic minorities continue to have disproportionate representation, compared to their numbers on campus, among the visitors to the office. Among staff, there was a significant increase in the professional and scientific staff visiting the office along with a significant decrease in the merit staff visiting the office. The Ombudspersons have no explanation for this, but for now they do not have any concerns.

Turning to the types of faculty visitor concerns, Professor Johnson noted that evaluative (supervisory) relationships constitute the largest proportion, although the percentage of such concerns has decreased in recent years. She then briefly mentioned several more items from the summary. The percentage and number of visitors with concerns about discrimination and harassment have remained stable compared to previous years. Complaints involving disrespectful behavior have decreased for the first time in several years, perhaps because of attention brought to this topic recently. Among the campus issues that the office has chosen to highlight in this annual report are resources for those accused of violating university policies. Two brochures have been created to guide university community members toward resources and information that they may not have been aware of. The office has also seen many complex cases, but this may be an indication that university offices are cooperating more to resolve difficult situations. Employee job loss is the third campus issue cited, but it primarily affects staff, not faculty. Professor Johnson concluded her presentation by noting that the office provides a range of informational presentations and workshops.

- *Comprehensive Campaign (Lynette Marshall and Dave Triplett, UI Foundation)*

Dave Triplett, Vice President, Development Resources and Campaign Director, stated that the mission of the UI Foundation is to advance the university; one of the ways the Foundation accomplishes its mission is through planning and implementing comprehensive campaigns. He commented that faculty teaching, research and community involvement all significantly impact

the campus and beyond, as well as attract donors who wish to combine their passion with support of faculty. Mr. Triplett then recalled his own years as a student at the university and the faculty members who made a difference in his life. Returning to the topic of comprehensive campaigns, Mr. Triplett explained that the UI Foundation engages in such campaigns for several reasons. First of all, by providing urgency and focus, comprehensive campaigns raise more money. They also accelerate philanthropic growth on campus and they enlarge the culture of philanthropy among academic leaders, faculty, volunteers, and donors. This private support has a significant impact on the campuses even of public institutions such as the UI. Finally, comprehensive campaigns clarify and prioritize university and unit visions, and provide an opportunity for those visions to be communicated to donors and the public. He added that donors give because they believe in the mission and the vision of the institution.

Planning for the current comprehensive campaign began in 2007, Mr. Triplett indicated. The campaign is not scheduled to end until 2016, but a time span of 8½ years is the norm for similar institutions. The quiet, or nucleus, phase of the campaign is nearly over; the public phase will kick off on May 3, 2013. Early in the planning stage of the campaign, the Foundation sought to determine the campus priorities. President Mason requested that deans and directors put forward their units' priorities, stressing that those priorities should be relevant, urgent, and compelling. A committee of faculty and staff members then reviewed these priorities to see if they reflected the visions of the units and whether they would resonate with donors. The priorities are still being refined and will not be finalized until the public phase kick-off. Ninety percent of the priorities reside in the collegiate and smaller units. The priorities were then further reviewed off-campus in focus groups of alumni and donors. Based on this feedback, the Foundation began creating the comprehensive case statement as well as developing three campaign themes: educating students to be the leaders of tomorrow; ensuring a healthier and more sustainable world; and enriching commerce, culture, and community. A Chicago firm was engaged to conduct a planning study throughout the country, interviewing top donors and alumni. Following the completion of the study, the firm recommended setting a campaign goal of \$1.5-1.8 billion. The Foundation then began assembling the campaign leadership group. The campaign cabinet includes President Mason, Provost Butler, Mr. Triplett, Ms. Marshall, and the campaign co-chairs. Each unit will also have campaign leadership. Names of co-chairs and unit leaders will be announced in the spring. During this quiet phase of the campaign, the Foundation has also been soliciting leadership gifts. Generally, about 50-60% of the campaign goal funds should be committed prior to the public phase of the campaign. Once the campaign goes public on May 3, widespread gift solicitation will begin.

A significant part of the comprehensive campaign will be the faculty/staff campaign. This campaign will be co-chaired by Professor Jerald Schnoor of the College of Engineering, Professor Matthew Howard of the Carver College of Medicine, and Joan Troester of University Human Resources. A steering committee of about 25 people will also be created. Each unit will be asked to provide a liaison to the UI Foundation. The goal is to have 30% of the faculty and staff contribute to the campaign. The faculty/staff campaign will kick off in September of 2013. Thus far, about 3,000 of the approximately 16,000 faculty and staff have already made gifts.

Returning to the topic of the comprehensive campaign, Mr. Triplett indicated that about \$937 million has been committed so far; this is 62% of the campaign goal. The leadership prospectus, which will make the comprehensive case for the campaign, is in development and will appear on the campaign's website in the spring. Information about the campaign will be disseminated via university and local media outlets. Considering the question of what faculty can do to support the campaign, Mr. Triplett stated that first of all, faculty should continue their excellent work in teaching, research, and community involvement. Then, faculty should be knowledgeable about their units' visions and goals, as well as general campaign information. If possible, nominate a unit representative for the campaign. If faculty have the chance to interact with donors, please be positive and convey an inspiring message.

Recalling Mr. Triplett's remarks about his former professors, Lynette Marshall, President and CEO, encouraged senators to look back on their own student years and remember the faculty and staff who influenced them, and in turn think about the impact they have on their own students. She indicated that 55% of the money raised last year came from individual alumni. Ms. Marshall reiterated that one of the Foundation's goals is to enhance the culture of philanthropy on campus, meaning that the Foundation seeks to help faculty, staff and students understand the impact of philanthropy at the university and the positive influence it can have. For example, the "Phil was here" campaign, partially carried out by a student philanthropy group, puts up posters on buildings that were built with some philanthropic funds or in which philanthropic-funded activity is carried out. As the campus approaches "Phil's Day" next May 2, faculty, staff and students will publicly state, via media outlets, why they engage in philanthropy. The Foundation has also worked with Dance Marathon, which committed the first and largest gift (\$5 million) to the campaign for building the UIHC children's hospital. The Foundation seeks to engage faculty in stewardship events and Ms. Marshall asked for additional suggestions of how to involve faculty in philanthropy work.

Ms. Marshall then commented that the University of Iowa's comprehensive campaign will be the third most aggressive campaign when adjusted for the size of the student body and alumni base. She noted that the last time she addressed the Senate, in February 2011, the Foundation was celebrating attainment of the \$1 billion mark for the university's endowment. This put the UI in the top 8½% of university endowments across the country. Recalling the history of the Old Capitol, she mentioned that the cornerstone was laid on July 4, 1840. Iowa became a state on December 28, 1846, and just two months later the University of Iowa was founded. Clearly, education was a high priority for the state's founders. Ten years later, the Old Capitol became the first permanent university building. Ms. Marshall observed that the limestone blocks used to build the Old Capitol become harder and stronger with age and expressed the conviction that the university itself becomes stronger with age. She commented that it is the goal of the Foundation to help strengthen the university and that the Foundation is proud to work with and on the behalf of faculty, staff and students, and to work with generous individuals and organizations who wish to support the university.

- *Sustainability Charter Committee (David Drake, Senior Associate to the President)*
Professor David Drake, Senior Associate to the President, stated that sustainability has been a priority of the current administration and that it has been incorporated into many university

activities. Some years ago a Sustainability Advisory Council had been formed, but had met only a few times. When he became the Senior Associate to the President, Professor Drake had urged that the advisory council be disbanded and that a charter committee on sustainability be created, in order to preserve a role for shared governance in this important endeavor. In a review report of the charter committees last year, the shared governance leaders concurred. Professor Drake indicated that President Mason also agreed with this conclusion. Professor Drake was now bringing before the Senate a proposal for the creation of a Sustainability Charter Committee; this proposal would need to be approved by all of the shared governance groups.

Professor Drake indicated that the committee membership would consist of four faculty members, four staff members, two undergraduate students, a graduate student, and a professional college student. Co-chairs would be a faculty member and a staff member. The committee would have two administrative liaisons, the director of the Office of Sustainability and the director of Facilities Management. Ex-officio members would come from Parking and Transportation, UIHC, Residence Halls Housing & Dining, the Office of the Vice President for Student Life, the Office of the Vice President and Provost, and the Office of the Vice President for Research and Economic Development. The Senior Associate to the President would also serve as an ex-officio member. Professor Drake commented that he would like for the charter committee to have an initial focus on education.

Professor Cunning observed that the word *sustainability* appears to have a wide interpretation. He asked about the scope of the charter committee's activities. Professor Drake directed the group's attention to the handout, in which the committee charge was given. He added that the charter committee would allow for faculty, staff and students to give input on all campus activities related to sustainability. He acknowledged that the definition of sustainability is broad, but in the case of the charter committee, that is intentional. Professor Tachau commented that she had interpreted the charter committee's focus as primarily ecological and she praised the effort to create this committee. Professor Pendergast asked who the committee would report to. Professor Drake responded that the Sustainability Charter Committee would work closely with the director of the Office of Sustainability, but that ultimately all charter committees report to President Mason.

Professor Tachau moved and Professor Pendergast seconded that the formation of the Sustainability Charter Committee be approved. The motion carried unanimously.

- *Faculty Dispute Procedures Policy Revision (Maria Lukas, Office of the General Counsel; Georgina Dodge, Chief Diversity Officer; and Tom Rice, Associate Provost for Faculty)*
President Snetselaar explained that the revision of the Faculty Dispute Policy has gone through extensive review by various administrators and faculty groups over the past eighteen months. Most recently, the Faculty Council had reviewed the policy at their November 13 meeting. The Council had refrained from voting on the policy at the meeting, preferring instead to review suggested revisions and then cast votes of approval via email.

Maria Lukas, Office of the General Counsel, indicated that the Faculty Dispute Procedures policy covers a range of disputes, both academic and disciplinary, in which faculty members

might become involved. The current revision affects primarily the ethics procedures as well as some preliminary provisions that are common to all the disputes. Ms. Lukas explained that this revision was initiated in response to an expanded interpretation of Title IX by the Office of Civil Rights of the U.S. Department of Education in April of 2011. Previously the main focus of Title IX was on the achievement of gender equity in athletics, although in fact Title IX has a wide scope, prohibiting discrimination on the basis of sex in educational institutions. Under the new expanded interpretation, sexual harassment is considered a form of sex discrimination, so all university policies, including the Faculty Dispute Procedures, that address sexual harassment must be revised according to the new guidelines issued by the Office of Civil Rights.

Ms. Lukas then drew the Councilors' attention to a list of the new guidelines that must be incorporated into the university's existing policies and briefly reviewed each item. First, *all decision-makers must be trained in Title IX issues*. This would include the faculty panelists chosen from the members of the Faculty Judicial Commission to hear a dispute case. All Faculty Judicial Commission members will now undergo this training, so that they are prepared in the event that they are chosen to hear a Title IX case. *Title IX cases must now be resolved within 60 days*. The university currently averages 240 days for case resolution, thus this requirement will have a significant impact on the university's handling of such disputes. The 60-day deadline can be extended for good cause for non-Title IX cases. *Mediation of sexual assault cases with the alleged victim is now prohibited and mediation in other Title IX cases is now discouraged*. In the past mediation was required by the ethics procedures, as it was considered a less adversarial method of resolving disputes. It did considerably increase the resolution time for cases, however. Ms. Lukas pointed out that although mediation is no longer mentioned in the policy, it remains an option in non-Title IX cases.

The standard of proof in Title IX cases is now "by the preponderance." Previously, "clear and convincing" was the standard of proof, and it will remain so for academic cases. Given that the focus of Title IX appears to be shifting and expanding (there are indications that it may soon be interpreted to apply to bullying, for example), "by the preponderance" will become the standard of proof for all cases that fall under the ethics procedures. Most such cases already involve some component of Title IX. *Deadlines are now imposed for various stages of the process. The rights of an alleged victim are now equivalent to those of the accused*. This last requirement would add a third party to the process, in addition to the accused and the university. Other significant revisions to the policy involve improving the functioning of the Faculty Judicial Commission. In the past hearings have been delayed because not enough panelists were available to serve. The revisions expand the pool of potential panelists by adding members to the Commission on a continual basis and by ensuring that faculty members who are available to serve on panels during the summer months are recruited to the Commission.

Professor Steven Levy commented that the accelerated pace of case resolution may discourage the reporting of alleged violations, as it may be more difficult to gather all the necessary evidence to confirm a violation in such a short time span. He asked how the administration would explain to the university community that the same quality and quantity of work could be done in a shorter time frame. Georgina Dodge, Chief Diversity Officer and the university's Title IX coordinator, responded that the university has hired an additional

investigator. This occurred in part because the university has been under increased scrutiny lately from the Office of Civil Rights because of the length of investigations that occur on campus. Ms. Lukas added that the accelerated time frame should give alleged victims and others the confidence that results will be obtained quickly. Also, the university will no longer be able to wait until the criminal process is resolved, so administrators are seeking greater cooperation with local law enforcement in order to access needed materials.

Professor McMurray moved and Professor Ziegler seconded that the Faculty Dispute Procedures Policy revision be approved. The motion carried unanimously.

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

V. Announcements

- President Snetselaar announced the formation of an Ad Hoc Lecturers Committee. She reminded the group that last spring the Faculty Senate had approved the creation of this committee composed of five lecturers to be recruited by the Faculty Senate officers. The committee will be in place for three years, after which the Senate will review its role. The committee's charge will be to represent lecturers on issues that relate to their teaching responsibilities or any other concerns that relate to their position. The committee will also make recommendations concerning the possible creation of, and charge to, a permanent lecturers committee. The committee members will include Meara Habashi (Psychology, College of Liberal Arts and Sciences), Caroline Sheerin (College of Law), Anne Stapleton (English, College of Liberal Arts and Sciences), Richard McCarty (Tippie College of Business), and Gay Allen (Spanish and Portuguese, College of Liberal Arts and Sciences). President Snetselaar indicated that Gay Allen's seat on the committee will rotate among lecturers from the other language departments on an annual basis.

Professor Tachau moved and Professor Bohannan seconded that the composition of the Ad Hoc Lecturers Committee be approved. The motion carried unanimously.

- President Snetselaar announced the formation of a Research-Track Review Committee. She reminded the group that the research-track policy calls for the Faculty Senate to conduct a review of the research track no later than five years following its implementation. The President of the Faculty Senate is to appoint the review committee after consultation with the Provost. Following the completion of this review by the end of the academic year, the Senate shall vote on whether to renew the policy. If the policy is not renewed, the research track shall be abolished. Faculty Senate Vice President Erika Lawrence (Associate Professor, Psychology, College of Liberal Arts and Sciences) and Faculty Senate Secretary Nicole Nisly (Clinical Professor, Internal Medicine, Carver College of Medicine) will co-chair the committee. The other six committee members will include François Abboud (Professor, Internal Medicine, Carver College of Medicine), Kelly Messingham

(Research Assistant Professor, Dermatology, Carver College of Medicine), Edgardo Rodriguez (Research Assistant Professor, Internal Medicine, Carver College of Medicine), Larry Weber (Professor, IIHR, College of Engineering), Robert Wallace (Professor, Epidemiology, College of Public Health), and Nicole Brogden (Associate, Pharmaceutics, College of Pharmacy).

Professor Treat moved and Professor Murry seconded that the composition of the Research Track Review Committee be approved. The motion carried unanimously.

- The next Faculty Council meeting will be Tuesday, January 29, 3:30-5:15 pm, 2520D University Capitol Centre.
- The next Faculty Senate meeting will be Tuesday, February 12, 3:30 – 5:15 pm, Senate Chamber, Old Capitol.
- The annual Faculty Senate/Iowa City Area Chamber of Commerce reception for local legislators will be held on Monday, December 10, 4:30-6:00 pm in the Old Capitol.

VI. Adjournment – Professor Treat moved and Professor Pendergast seconded that the meeting be adjourned. The motion carried unanimously. President Snetselaar adjourned the meeting at 4:50 pm.