

**FACULTY COUNCIL**  
**Tuesday, September 1, 2020**  
**3:30 – 5:15 pm**  
**Zoom**

**MINUTES**

Councilors Present: D. Andersen, C. Bradley, N. Brogden, J. Buckley, M. Cunningham-Ford, L. Erdahl, A. Gerke, L. Glass, B. Janssen, L. Joseph, M. Kivlighan, A. Merryman, N. Nisly, G. Russell, C. Sheerin, T. Treat.

Officers Present: T. Marshall, A. Rodriguez-Rodriguez, J. Yockey.

Councilors Excused: M. Pizzimenti.

Councilors Absent: None.

Guests: M. Gardinier (Emeritus Faculty Council), L. Geist (Provost's Office), S. Martin (*Daily Iowan*), D. McGregor-Huyer (*Daily Iowan*), A. Skores (*Daily Iowan*), L. Tovar (Interim Associate Vice President for Diversity, Equity, and Inclusion), L. Zaper (Faculty Senate Office).

I. Call to Order – President Yockey called the meeting to order at 3:30 pm.

II. Approvals

- A. Meeting Agenda – Professor Treat moved and Professor Glass seconded that the agenda be approved. The motion carried unanimously.
- B. Faculty Council Minutes (April 14, 2020 and June 25, 2020) – Professor Russell moved and Professor Bradley seconded that the minutes be approved. The motion carried unanimously.
- C. Draft Faculty Senate Agenda (September 15, 2020) – Professor Russell moved and Professor Gerke seconded that the draft agenda be approved. The motion carried unanimously.
- D. Committee Appointments (Teresa Marshall, Chair, Committee on Committees)
  - Cassie Barnhardt (Educational Policy and Leadership Studies) to fill the unexpired term of Maresi Berry-Stoelzle (Family Medicine) on the Financial Aid Advisory Committee, 2020-21
  - Teresa Treat (Psychological and Brain Sciences) to fill the unexpired term of Cornelia Lang (Physics and Astronomy) on the Faculty Council, 2020-22
  - Christopher Brochu (Earth and Environmental Sciences) to fill the unexpired term of Cornelia Lang (Physics and Astronomy) on the Faculty Senate, 2020-22Professor Erdahl moved and Professor Sheerin seconded that the committee appointments be approved. The motion carried unanimously.

### III. New Business

- *Liz Tovar, Interim Associate Vice President for Diversity, Equity, and Inclusion*

President Yockey noted that Interim Associate Vice President Liz Tovar has most recently served as Associate Athletic Director for Student Athlete Academic Services here on campus. He added that Dr. Tovar had joined the university in 2013 and was appointed to this new position on August 17. She held previous positions at the University of Kansas, Northern Illinois University, and The Ohio State University. Dr. Tovar earned a bachelor's degree in psychology, a master's degree in clinical psychology, and a doctorate in educational policy and leadership studies, all at the University of Kansas. President Yockey explained that Dr. Tovar was invited to the meeting today to present her plans and expectations for campus diversity, equity, and inclusion (DEI) strategies going forward. This was also an opportunity for Councilors to become acquainted with Dr. Tovar and to ask questions of concern to them.

In beginning her remarks, Dr. Tovar noted that her brief tenure in her new position has been very eventful. In just the past few weeks, social and racial unrest has occurred nationally and locally, Iowa was struck by a very damaging *derecho* storm, and the Athletics Department eliminated four sports because of pandemic-related budget pressure. She commented that she has been asked why she chose to accept this new DEI-related position and explained that, although she and her family have been warmly welcomed into this community, not everyone has had that same positive experience. Dr. Tovar saw this position as a great opportunity to help our university on a broader scale and she envisioned her role as an advocate for all individuals in our campus community. While her professional role has until now been in Athletics, she has served as a member of numerous DEI-related committees, including the search committee for the previous Associate Vice President for Diversity, Equity, and Inclusion (AVP for DEI) and the Path Forward Diversity, Equity, Inclusion, and Collaboration Committee. Therefore, diversity work is not new to her and she enjoys that particular role. Dr. Tovar commented that she is very goal- and results-oriented. During her first few weeks on the job, she has engaged with a range of constituents, including administrators, faculty, and students, with the purpose of identifying the areas in which we excel as an institution and the areas upon which we need to improve.

Dr. Tovar explained that the AVP for DEI oversees the Division of Diversity, Equity, and Inclusion, which includes the three units of the Center for Diversity and Enrichment; Diversity Resources; and Equal Opportunity and Diversity. The AVP also maintains a focus on the recruitment and retention of diverse faculty and staff. Another aspect of the job includes proactively evaluating the DEI-related challenges and opportunities that we have on campus. During her time at UI, Dr. Tovar has observed moments during which we have needed to take a step back and consider whether we are trying to tackle DEI-related issues to the best of our abilities. If not, why not? Sometimes it is necessary to acknowledge that previous ways of doing things have not been successful and that we must look for new ways to achieve our goals. Dr. Tovar's meetings with various campus individuals, groups, and units have been very helpful in allowing her to gain an overview of DEI-related issues across the university. Another important focus of her new role will be to facilitate a coordinated response effort regarding DEI. Dr. Tovar indicated that her office should not only provide resources, but should also widely communicate the university's DEI-related efforts and partner with entities across campus to carry out those efforts.

Dr. Tovar described three specific DEI-related challenges currently facing the university. Strategic planning is one of those challenges. She reminded the group that some aspects of the current DEI Action Plan have seen progress, while other aspects have shown very little movement. She urged the campus community to consider why there has not been progress in these areas over the past year and to commit to moving forward. Another challenge has been the continuous flux in leadership in the Division of Diversity, Equity, and Inclusion. The Division needs to attain stability, prior to the hiring of a permanent AVP for DEI, because the position will not be attractive to applicants until some stability is achieved. Improved collaboration between the Division and shared governance is another challenge that Dr. Tovar intended to take on. Dr. Tovar then listed several broader goals that she planned to work towards over the next year. She wants to serve as a conduit between our faculty, staff, and students and university administration, so that all voices can be heard. Dr. Tovar commented that she is a good listener and strives to build trust and respect with everyone with whom she interacts. She also intends to reach out to students so that they better understand how the Division can help them. And, Dr. Tovar wants to reach out to faculty so that they learn how to engage with the Division. She noted that there is a concern across campus about the university's ability to recruit and retain diverse faculty and staff. She looked forward to discussing possible solutions to this problem with faculty members.

Over the next year, Dr. Tovar indicated, it will be necessary to formulate a unified and coordinated response to DEI issues. She reminded the group that last week, administrators and shared governance leaders had published a university statement in response to the killing of Jacob Blake in Wisconsin. Dr. Tovar emphasized that we must be mindful of the impact of local and national events on our campus community and, although the university cannot respond to every national event, it is important that we contemplate our DEI work in light of such events. This is a particularly difficult time for our campus community; not only have we had numerous leadership transitions, but we are also facing social justice unrest, the COVID-19 pandemic, and the upcoming presidential election. Dr. Tovar commented that the Division must be particularly willing to listen to the voices of those it serves and modify its responses to best meet the needs of the campus. Another area that Dr. Tovar will focus her efforts on concerns transparency and accountability from the administration. DEI-related administrative decisions cannot be made in isolation, but only after extensive consultation with our community members.

Professor Treat, the Faculty Senate representative on the new AVP for DEI search committee, thanked Dr. Tovar for taking on the interim role. As a member of the search committee, she expressed concern that the position may not be appealing to applicants for the reasons that Dr. Tovar cited. Professor Treat asked if the Division has all of the resources and other types of support that it needs to carry out its mission. Dr. Tovar responded that the assistance of all faculty, not just faculty from underrepresented groups, is essential in the very important task of the recruitment of diverse faculty. Expanding one's network to include diverse faculty is a key step in this effort. Celebrating the campus' success is also something we can do more of; she encouraged units to report their DEI accomplishments to the Division for wider dissemination. Professor Janssen commented that her college is currently engaged in an internal search for a new Associate Dean for Academic Affairs, a 49% appointment that will also

include collegiate responsibility for DEI initiatives. She asked what resources are available from the Division to support collegiate DEI initiatives. Dr. Tovar indicated that she intends to work on developing a university-wide framework for DEI work that will be available to all units, to assist them in their local efforts. The Division can also serve as a central location for the unit DEI leaders to come together and share strategies and insight. Professor Nisly commented that, some years ago, she had served on an interim basis as the university's chief diversity officer. Feedback gathered from the campus community at that time had been strongly in favor of a dual reporting role for the position, because of the importance of staff, as well as faculty, in DEI efforts. In accordance with that feedback, the position was newly configured as both a vice president and an associate provost position, reporting to the president and to the provost. Last year, however, the position was reconfigured again to report only to the provost. Dr. Tovar responded that this new reporting structure (to the provost only) has likely been a drawback to attracting candidates to the position; throughout the country, most chief diversity officers report to their presidents. The new reporting structure may also inadvertently send the message that DEI is not valued at the highest levels by the UI. Dr. Tovar added that she is aware of recent conversations regarding moving the position under the president, but a final decision has not been made. In conclusion, she urged Councilors not to hesitate to reach out to her. President Yockey noted that the Senate officers will soon meet with Dr. Tovar to discuss DEI-related initiatives that the Faculty Senate Governmental Relations Committee has been working on.

- *Collegiate Roundtable: Status Update and Discussion about Fall Reopening Experience (All Councilors)*

President Yockey commented that, given the unique situation we find ourselves in this semester, it would be a good idea to hear from Councilors about how the fall semester is progressing in their colleges. He noted that Faculty Council and Senate are generally communicators and advocates rather than decision makers, and therefore the officers can convey concerns expressed here to administrators. Professor Nisly raised the topic of tomorrow's "sick-out," during which some faculty and students are planning not to teach or attend classes in order to show their support for the university moving to 100% online classes (the majority of classes are currently online). She added that faculty had received an email message from Interim Provost Kregel discouraging participation in the sick-out. Professor Nisly commented that she could understand the views of both the administration and of the faculty members planning to call in sick, and she wondered if the Council could serve as a mediator in this situation in which both sides have strong views. She expressed concern about the high COVID-19 infection rate in Iowa. Infections could begin to spread from the student population to older populations, who are more vulnerable to serious illness and death from COVID-19.

President Yockey noted that he did not know who was organizing the sick-out, nor had he seen Provost Kregel's email until it went out to everyone. He asked for input from Councilors on a response. He added that he, personally, was reluctant to cancel classes because he felt that it harms, more than helps, students and he did not endorse the sick-out. Speaking as the Faculty Senate President, he commented that faculty members should approach the sick-out with caution, as there could be adverse employment consequences, even for tenured faculty members. However, he was sympathetic to the circumstance that have led to this approach and

hoped that we could find a way out of this situation in a peaceful, calm way that does not disadvantage our students or our colleagues.

Professor Glass declined to take a position on the sick-out, but expressed the opinion that the central administration is losing credibility on the online vs. in-person class issue, and also on what appears to be ill-conceived and ill-prepared plans for opening the university. He added that it seemed that the administration received a mandate from the Board of Regents, State of Iowa to proceed with opening without consulting the many scientific experts that we have on campus. While he did not want to disadvantage students or to see jobs threatened, he understood why those most at risk might want to participate in the sick-out in the interest of their own health and safety. In his department, those instructors with the least job security, graduate students and adjunct instructors, have been the ones most likely to be put at risk, through hybrid teaching methods that are of questionable pedagogical value. He felt that collegiate leaders were in a particularly difficult situation. In his position of mid-level leadership, Professor Glass commented that he felt torn between his allegiance to an authority structure that he volunteered to be part of and his sense of responsibility for the students, staff, and instructors within his department. He wished that he could have more trust and faith in the central administrative decision-making process.

Professor Russell commented that in his college, things seem to be falling apart, in the sense that in some classes, about 25-30% of students are absent, due to illness or quarantine. He took issue with what he perceived to be the central administration's assumption that courses can simultaneously be taught in-person and online successfully. In his view, this is not true. Also, he observed that President Harreld has frequently said that we must give students a choice whether to attend in-person, but this does not allow for the faculty members and the graduate student instructors to have a choice whether to teach in-person. He commented that the sick-out is a symptom of a larger problem, which is that the central administration is perceived not to be listening to and indeed is perceived not to care about vulnerable members of our campus community. Professor Russell concluded by noting that recent national news stories have reported on federal recommendations to our governor concerning Iowa's alarming recent COVID-19 spike. It appears that these recommendations are being ignored.

Professor Erdahl commented that, in her view, lack of communication has become a significant problem. Students have been protesting because they feel that their voices are not being heard. Better communication would help; however, this is a state, not just a university, issue. She noted that the Iowa Medical Society Board of Directors had asked the governor for a statewide mask mandate, but that request was declined. In her college, Professor Erdahl continued, poor communication has also been an issue. For example, there had been much communication regarding a recent salary reduction, but very little about a new increase in relative value unit (RVU) targets. She indicated that she understood the frustration felt by other faculty members and recommended that the central administration hold more listening sessions. We must support faculty and staff whose lives are being impacted by illness and quarantine.

Professor Buckley thanked the previous speakers for their candor. She commented that not only has there been insufficient communication, but that the existing communication is

contributing to an antagonistic relationship between administrators and the most vulnerable instructors. She added that central administrators are not just losing credibility, but that they are becoming villains, in the eyes of some. Students and non-tenure-track faculty have been very vocal on social media about their harsh feelings towards central administrators. She asked whether the Council can serve as an intermediary between these hostile factions.

Addressing the points just raised, President Yockey indicated that the Senate officers have been in frequent communication with President Harreld and Interim Provost Kregel. The last meeting that President Yockey had with key decision-makers was Friday morning. The university's Critical Incident Management Team (CIMT) will be meeting tomorrow to go over a week's worth of data, in order to address whether it is time to transition more classes to an online format. If that transition were to happen, faculty would be given a 5-7 day time period to adjust. It is possible that some classes would remain in-person, such as science labs. Professor Treat asked if it was appropriate for the Faculty Council to offer suggestions or guidance to central administrators. President Yockey responded that this was indeed the Council's role. He added that on Friday he had conveyed to Interim Provost Kregel and to President Harreld's senior advisors exactly the kinds of concerns that Councilors had expressed today (which he had already heard privately from many faculty members). President Yockey pointed out that the sentiment expressed today is not universally shared by faculty members, although this did appear to be the majority view. This is one of the challenges involved with communicating to administrators on behalf of faculty.

President Yockey also noted that it appeared that no faculty members serve on the CIMT at this time, although he has been unable to determine the specific membership of this important group. Professor Glass expressed concern that the lack of faculty membership on the CIMT indicates that central administration does not take shared governance seriously. He also worried about the apparent lack of collaboration with health experts on campus. He suggested that some type of strong communication expressing our views be conveyed to administrators. Professor Erdahl expressed concern about the tone of Interim Provost Kregel's message regarding the sick-out; the message did not acknowledge the struggles faculty currently face, but instead took a punitive tone. Professor Joseph commented that the university clearly has leadership issues right now. Citing a discrepancy between university-reported and community-reported COVID-19 cases recently, she added that lack of transparency is also a concern. All sectors of the university must align in their response to the pandemic; not everyone is experiencing the pandemic in the same way, so we must be able to empathize with the experiences of others. President Yockey commented that Interim Provost Kregel had indicated to him that Dr. Dan Fick, the medical advisor to the CIMT, was in regular communication with hospital epidemiologists regarding COVID-19.

Professor Nisly moved and Professor Anderson seconded that the Faculty Council recommend to central administration that the four shared governance presidents be appointed to the Critical Incident Management Team (CIMT). The motion carried unanimously.

Professor Erdahl noted that the Operations Manual indicates that the CIMT can be expanded as necessary; this passage should be pointed out to administrators as rationale for the inclusion of shared governance leaders. Professor Glass asked for clarification whether the

central administration has been ordered by the Board of Regents not to go 100% online, or whether President Harreld has discretion in this matter. President Yockey indicated that he would look into this. Professor Glass suggested that, if this is true, a joint communication from the Faculty Senate presidents of all three Regents institutions might be called for. Professor Merryman suggested that the UI Faculty Senate first create a statement calling for more communication and transparency on our own campus.

- *Discussion: Parental Leave (Joe Yockey)*

President Yockey reminded that group that parental leave had been one of the topics of the plenary session during the annual Faculty Council/Administrative Retreat on August 18. He indicated that it was his understanding that there are two primary issues. The first issue is that state law prevents conversion of sick leave into parental or vacation leave. The second issue is that new employees may not have accrued a sufficient amount of leave to take this benefit when a child is born or adopted. Professor Erdahl asked whether it was an issue of state law specifically not allowing anyone except the biological mother to take more than one week of sick leave as parental leave for the birth or adoption of a child. President Yockey responded that he would seek clarification. Secretary Rodriguez-Rodriguez asked for an expansion of the discussion around parental leave to include situations in which a parent needs to stay home with an ill child. Professor Nisly commented that we need a modern parental leave policy that not only recognizes the need for fathers to spend time with newly-born or newly-adopted children, but also recognizes the many different family structures common today.

Professor Glass questioned if it had been conclusively determined whether state law does indeed prevent the conversion of sick leave to vacation leave. President Yockey responded that, in his view, this is a reasonable interpretation of the law. Professor Merryman asked if, rather than dealing with issues of leave conversion, the university could simply make parental leave a standard new benefit. President Yockey indicated that this question would be conveyed to administrators. Secretary Rodriguez-Rodriguez commented that a separate parental leave benefit would be a very powerful recruiting tool. Professor Kivlighan added that UI leave policies do not compare favorably with those of other Big Ten institutions.

President Yockey noted that the Senate officers would soon be meeting with University Human Resources administrators and members of the Family Issues Charter Committee regarding parental leave. He invited interested Councilors to join the meeting.

- *Discussion: Strategic Plan/Path Forward/P3 (Joe Yockey)*

President Yockey reminded the group that the university's current strategic plan spans 2016-21. Work on the new strategic plan is now underway. New collegiate strategic plans were completed during the 2019-20 academic year and submitted to the Provost's Office for review. The pandemic led to the postponement of this work, but activity is now resuming. Vice President for Research Marty Scholtz and Interim Provost Kevin Kregel are leading the strategic planning process. They have asked whether we should retain the process used for the last plan, or if we should make changes to this process. President Yockey noted that implementation of the plan is delegated to the Path Forward Steering Committee (chaired by Interim Provost Kregel and Vice President Scholtz) and its four work groups. The work groups focus on the pillars of the strategic

plan: student success; research and discovery; engagement; and diversity, equity, inclusion, and collaboration. Ideas generated previously through the strategic planning process often lacked funding sources; this was the motivation behind the university's public-private partnership (P3) for the power plant. The lump sum payment received from the university's partner, the energy conglomerate Engie, has been invested and the revenue from this investment will be used to fund initiatives generated by the strategic planning process. Last year, a process for requesting funds was developed. Proposals need to show alignment with the strategic plan. Because of the pandemic, though, the P3 proposal process was suspended.

President Yockey asked for feedback regarding the re-opening of the proposal submission process, in light of a new issue that has arisen. He explained that President Harreld has stated that P3 funds can only go towards strategic priorities and cannot be used to fund university operations. However, we now find ourselves facing significant economic consequences from the pandemic. The immediate question is whether to re-open the proposal submission process as originally planned, or to re-open the process but prioritize pandemic-responsive proposals. Another option could be to keep the entire process on hold for now. As mentioned earlier, President Yockey also sought feedback on whether changes should be made to the strategic planning process itself.

Professor Glass asked for clarification whether President Harreld's position was philosophically or legally based. President Yockey responded that this is a policy decision by President Harreld. He explained that the P3 funds have been placed in a separate non-profit 501(c)3 entity, which has its own board structure. This board would have to approve any allocation of funds, but there have been no parameters set around how the money can be spent. Prior to the pandemic, administrators looked upon the P3 as a mechanism to make up for the loss in state appropriations and as a funding source for our strategic priorities. President Yockey added that it seemed unlikely that President Harreld would change his mind about use of the funds at this point. Professor Buckley commented that this is the perfect time for consideration of proposals for projects that strive towards economic and racial justice. President Yockey directed Councilors to the Path Forward website, <https://pathforward.uiowa.edu/>, and requested that anyone interested in serving on the work groups contact him.

- *Faculty CV19 Survey: Review of Qualitative Feedback (Teresa Marshall)*

Quantitative results from the survey that the Faculty Senate conducted of all faculty early in the summer regarding the university's fall reopening plans can be found on the Faculty Senate website, <https://faculty-senate.uiowa.edu/news/2020/08/collegiate-reports-covid-19-faculty-survey-now-available>, President Yockey reminded the group. He added that Vice President Marshall had worked with former Senate president Professor Sandy Daack-Hirsch and current Senator Professor Amany Farag to process the qualitative results. These reports are also on the Senate website. There were four open-ended questions: *what part of the university's response was most successful; what part of the university's response was problematic; what are your biggest concerns as you start the 2020-21 academic year; and is there anything else you would like to tell the university.* Summarizing the text responses, Vice President Marshall indicated that faculty were appreciative of the university's initial response to the pandemic. There were, however, huge concerns moving forward for the health and safety of the university and the

greater Iowa City communities. Concerns about personal protective equipment, compliance with social distancing (especially for students off-campus), mental and emotional health, and the well-being of members of marginalized communities all emerged from the open-ended responses. Faculty members expressed skepticism that online teaching could match the effectiveness of in-person teaching and also commented that students are not experiencing collegiate life outside the classroom. There were concerns about the status of international students. Also, the extra burdens on faculty because of online teaching were a focus of many comments, along with uncertainty surrounding K-12 schools' plans for the coming academic year. Many faculty members were worried about the university's solvency over time.

- *President's Report (Joe Yockey)*

President Yockey commented that the Provost's Office may propose that the concept of professionalism be incorporated into faculty performance criteria. He noted that the officers have had some initial conversations about potential concerns, such as subjectivity vs. objectivity and issues around gender, diversity, culture, etc. This is a topic that the Council will likely return to at a future meeting.

The Faculty Senate Governmental Relations Committee, chaired by Professor Jerry Anthony, has been focusing ever since the summer racial unrest began on some immediate strategic priorities that the Senate could carry out and advocate for, President Yockey explained. Professor Anthony has been tirelessly seeking input from student groups, Staff Council leadership, and administrators within the Division of Student Life and the Division of Diversity, Equity, and Inclusion while identifying and refining specific diversity-related project proposals. We are anticipating that Professor Anthony will present a set of recommendations to the Council at the October meeting.

Turning to the strategic priorities that the Council had identified for the Senate last spring, prior to the pandemic, President Yockey reminded the group that two themes had emerged. One theme was the development of a system for more frequent evaluations by faculty of deans, associate deans, and DEO's, similar to a model that is in place for the College of Education. The officers have opened preliminary discussions with the Provost's Office about this idea. The second theme was a faculty advancement commission that would focus on boosting morale and improving recruitment and retention, especially with respect to faculty who identify as members of underrepresented minority groups. Professor Yockey is working on finding members for this commission and he invited interested Councilors to contact him.

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

V. Announcements

- The next Faculty Senate meeting will be Tuesday, September 15, 3:30 – 5:15 pm, via Zoom.
- The next Faculty Council meeting will be Tuesday, October 13, 3:30-5:15 pm, via Zoom.

DRAFT

VI. Adjournment – Professor Treat moved and Professor Merryman seconded that the meeting be adjourned. The motion carried unanimously. President Yockey adjourned the meeting at 5:05 pm.