

FACULTY COUNCIL
Tuesday, January 25, 2022
3:30 – 5:15 pm
Zoom

MINUTES

Councilors Present: D. Anderson, C. Bradley, N. Brogden, J. Buckley, M. Cunningham-Ford, A. Curtius, L. Erdahl, L. Glass, B. Janssen, L. Joseph, M. Kivlighan, N. Nisly, M. Pizzimenti, E. Welder.

Officers Present: M. Lehan Mackin, T. Marshall, A. Rodríguez-Rodríguez, J. Yockey.

Councilors Excused: D. Andersen, G. Russell.

Councilors Absent: A. Merryman.

Guests: B. Ernst (*Daily Iowan*), M. Gardinier (Emeritus Faculty Council), L. Geist (Office of the Provost), L. Hollingworth (Faculty Athletics Representative), P. Matthes (External Relations), K. Perez (*Daily Iowan*), S. Vlastos (Emeritus Faculty Council), C. Zaharis (Presidential Committee on Athletics), L. Zaper (Faculty Senate Office).

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

II. Approvals

- A. Meeting Agenda – Professor Pizzimenti moved and Professor Janssen seconded that the agenda be approved. The motion carried unanimously.
- B. Faculty Council Minutes (November 16, 2021) – Professor Nisly moved and Professor Glass seconded that the minutes be approved. The motion carried unanimously.
- C. Draft Faculty Senate Agenda (February 8, 2022) – Professor Joseph moved and Professor Brogden seconded that the draft agenda be approved. The motion carried unanimously.
- D. Committee Appointments (Ana Rodríguez-Rodríguez, Chair, Committee on Committees)
 - Matthew Arndt (Music) to fill the unexpired term of Michelle Larson (Statistics & Actuarial Science) on the Council on Teaching, Spring 2022
 - Richard Peter (Finance) to fill the unexpired term of Jon Garfinkel (Finance) on the Funded Retirement & Insurance Committee, Spring 2022
 - Packy Moran (Health & Human Physiology) to fill the unexpired term of Mark Berg (Sociology & Criminology) on the Presidential Committee on Athletics, 2022-25
 - Paul Hanley (Civil & Environmental Engineering) to fill the unexpired term of Trent Davis (Radiology) on the Presidential Committee on Athletics, 2022-26

- David Supp-Montgomerie (Communication Studies) to fill the unexpired term of Anna-Maria Cornell (English as a Second Language) on the University Safety & Security Committee, 2022-24

Professor Nisly moved and Professor Curtius seconded that the appointments be approved. The motion carried unanimously.

III. New Business

- *Faculty Policies and Compensation Committee Update (Teresa Marshall)*

President Marshall provided an update on Operations Manual policy [II.19 Acceptable Use of Information Technology Resources](#), mentioned at a previous meeting. Policy changes proposed by the Office of the General Counsel (OGC) were reviewed by the Faculty Senate's Faculty Policies and Compensation Committee (FPCC) last semester. FPCC members opposed some of these proposed changes. The chair and several members of FPCC are now engaged in conversations with OGC administrators to identify an agreeable compromise. The main point of disagreement is related to language that allows administrators to have the fullest access permitted by law to monitor faculty and staff usage of university information technology. FPCC members have argued that faculty members should have a greater degree of privacy, in order to protect academic freedom and freedom of speech.

Professor Janssen asked whether the policy applies to human subjects research. She noted that a faculty member dealing with human research subjects might need a higher level of privacy. President Marshall responded that FPCC had not considered this issue, so she would pass it on to the committee members engaged in the discussions with administrators. Professor Bradley commented that faculty members in her college are generally discouraged from putting patient identifying information in email messages, but more clarification is needed regarding human research subjects. Professor Brogden observed that in her college, communication with potential research subjects is usually initiated via email, leading to a situation in which identifying information would be accessible. Professor Nisly noted that patients often reach out to physicians and nurses via email. The latter then attempt to redirect communication to a more confidential method, such as MyChart messages, but these attempts are not always successful. Professor Janssen added that the policy most likely does not refer just to email, but to files and documents stored on faculty members' computers and in the IT system. Such files and documents would certainly contain confidential identifying information.

- *COVID Update (Teresa Marshall)*

President Marshall noted the most recent snapshot of campus self-reported positive COVID-19 tests, reported [here](#) every Monday, Wednesday, and Friday. She reminded the group that the federal vaccine mandate for health care workers at facilities (such as UIHC) participating in Medicare and Medicaid has been allowed by the Supreme Court to remain in place, while the federal vaccine and testing mandate for large businesses was struck down. The university's testing capacity is improving, President Marshall added; individuals no longer need to exhibit severe symptoms in order to request a test. Masks (including KN95 masks) and hand sanitizer are widely available in campus buildings.

Professor Nisly commented that she has observed vaccinated people, especially those with underlying conditions, being treated at UIHC for severe cases of COVID. She added that the Omicron variant of COVID is capable of infecting people no matter what their vaccination status and she urged that everyone protect themselves through consistent and correct mask-wearing. Those who are vaccinated and boosted greatly improve their chances of recovery from an infection. She added that many UIHC nurses have fallen ill with COVID, even after vaccination and boosting. The resulting staffing shortages impact patient care throughout the hospital.

Professor Brogden wondered about the general attitude toward COVID across campus; have faculty and students become resigned to it, or is there still a great deal of anxiety? President Marshall noted that in her college, she has seen an increased rate of mask-wearing among students and staff with the onset of the more contagious Omicron variant. She commented that she has not heard much from faculty, staff, or students about COVID lately and speculated that this was because people felt safer now with vaccinations and boosters available or perhaps because people have indeed become resigned to the situation. Professor Glass reported that his department has many faculty out for COVID-related reasons. Morale is plummeting and he expressed concern that he would lose faculty to other institutions or to early retirement. He added that the faculty in his department are amazingly committed, but that their feelings recently have moved from anxiety to despair. President Marshall shared Professor Glass' concern about retention and also worried that commitment to the institution could wane among our faculty, who may be unwilling to give extra effort to their work if they feel unprotected by the university.

Professor Curtius asked if there was any indication yet whether the university's approach to the pandemic was impacting undergraduate or graduate admissions. President Marshall did not have data on this, but noted that in the Fall, she had heard that the Office of Admissions was pleased with the number of undergraduate campus visits. It remains to be seen if those students who visited choose to apply and enroll. She added that the loss of faculty could have a ripple effect in graduate admissions, because prospective graduate students often follow faculty members with whom they wish to study. Vice President Rodríguez-Rodríguez commented that several undergraduates in her department had told her that they were no longer considering UI for graduate school because of a perception that graduate teaching assistants have been treated poorly here in regards to COVID safety measures.

Professor Joseph commented that some faculty members were not pleased with her college's abrupt transition to hybrid and online instruction for didactic classes. The transition was an attempt to lower the COVID case load in the college because large numbers of the college's students are required to do clinical rotations in the hospital. The decision to transition was perceived by some to have been made by administrators without significant input by the faculty. Professor Nisly observed that epidemiologists are projecting that the Omicron wave will have largely subsided towards the end of February. She wondered if it were possible for the university, or even for individual faculty members, to pivot to hybrid classes just until that time. President Marshall responded that it was her understanding that Board of Regents, State of Iowa guidance requires faculty members to offer in-person classes unless permission is sought to move to an online format due to reasons such as illness. Associate Provost Geist added that a process is in place for faculty members to request a move to online teaching. Those requests are

reviewed at the collegiate level. She noted that few requests have been submitted thus far. She also reiterated Professor Nisly's point that Omicron will likely be fading in the next month or so.

- *Council Roundtable (All Councilors)*

President Marshall reminded the group that three questions had been sent out last week to facilitate roundtable discussion: *How are faculty in your college feeling as we begin the spring semester?*, *What is working well for faculty in your college?*, and *What do faculty in your college need to move beyond any particular challenges that the college is currently experiencing?*

Professor Joseph began the discussion by noting that her college has experienced much staff turnover lately, leading to uneasiness among faculty members, who do not understand the reason for this. Another concern is a perceived lack of resource support for faculty members in the building when so many support staff are often working from home. Faculty members working from home may also have difficulty accessing necessary support. Professor Joseph added that a new faculty member had expressed appreciation for university communication regarding COVID, but that they hoped to see in this communication more of an emphasis on moving forward and providing faculty with access to support and resources.

Professor Janssen commented that in her college, some confusion remains regarding COVID-related procedures on coursework and class attendance. She noted that faculty members seek to be flexible, but must also find workable solutions. Professor Janssen also reiterated concerns about faculty members who are pulling back their work efforts somewhat recently. Saying "no" to requests more often is not necessarily a bad thing, she observed, but if this trend continues, it could create structural challenges in the future.

Because of the evolution of the COVID variants, the guidance landscape changes quickly, even multiple times each week, Professor Nisly noted. People are often caught by surprise by these constant changes. She wondered if more frequent university communications would help capture all the nuances of this highly fluid situation. President Marshall commented that a faculty member had pointed out to her the sometimes mixed messages expressed across campus. For example, UIHC emphasizes COVID-related safety measures, yet other entities on campus promote large gatherings without requiring masks. The Senate officers will discuss this lack of messaging consistency with administrators. Professor Erdahl expressed the view that faculty in her college are feeling very uncertain these days. Operating rooms are being closed, leading to a triage of surgeries in ways that do not seem to be patient-centered, thus causing moral distress among faculty members. Professor Erdahl also noted that a proposed faculty compensation plan is now on hold. Although this plan was unpopular with faculty members, its indefinite postponement creates recruiting challenges. What faculty need now is less administrative burden, she added. UIHC staff shortages are likely to persist even after the current COVID wave subsides. As for what is working well, Professor Erdahl observed that people in the college still care about each other and their work in these challenging times.

Professor Glass thanked all of our healthcare colleagues for their extraordinary efforts and sacrifices. He further commented that despair and exhaustion are the words that best describe

the feelings of faculty members in his college. While much of this can be attributed to our COVID situation, the attacks on public education, academic freedom, and freedom of speech coming out of the legislature also contribute to this atmosphere. He expressed the view that two endeavors could help heal faculty, however. One of these endeavors would be to use our recent extensive experience with online learning to inform our virtual practices in the future. The other would be to mount a more robust defense of the university as a bastion of freedom of expression and academic freedom, core values of our institution. Some of the low morale among faculty, Professor Glass added, relates to the impression that the university is not recognized for the services it provides to the state.

Professor Brogden reported that faculty members in her college are feeling fairly optimistic and positive this semester, in part because the college has been granted a temporary mask mandate for faculty, staff, and students. She commented that more support and communication were provided to faculty this semester regarding, for example, guidelines for dealing with both faculty and student illness. If a need arises for a faculty member to change their method of instruction delivery, support is immediately provided.

- *Executive Session: Legislative Update (Pete Matthes, Vice President for External Relations)*

Professor Nisly moved and Professor Pizzimenti seconded that the Council move into executive session, inviting Vice President for External Relations Pete Matthes to join them. The motion carried unanimously.

The Council discussed the upcoming legislative session with Vice President Matthes.

Professor Nisly moved and Professor Joseph seconded that the Council move out of executive session. The motion carried unanimously.

- *Athletics Update: Liz Hollingworth, Faculty Athletics Representative and Catherine Zaharis, Chair, Presidential Committee on Athletics*

Professor Zaharis explained that the role of the Presidential Committee on Athletics (PCA) is to consider policies that would optimize the functionality of the Athletics Department in relation to student-athletes. The bulk of the work of the PCA is carried out within three subcommittees. The Student-Athlete Wellbeing Subcommittee reviews multiple policies such as the Drug Testing Policy and the Pregnancy Policy. The Academic Achievement Subcommittee reviews, for example, reports from the Registrar's Office on student grades and progress to graduation. The Diversity, Equity, and Inclusion Subcommittee (recently re-named from the Equity Subcommittee) has traditionally been involved with reviewing compliance with Title IX requirements. The subcommittee's work has now been broadened to include interaction with Broderick Binns, the new Assistant Athletics Director for Diversity, Equity, and Inclusion (DEI). Assistant Director Binns receives and reviews DEI plans and reports from all of the athletics teams, Professor Zaharis explained. The Athletics Department has also formed a DEI Accountability Board, which includes faculty, staff, coaches, and alumni, to review each sport's DEI activities. Members of this Board serve as liaisons to each of the sport teams.

Professor Zaharis commented that one of the highlights of serving on PCA is the opportunity to work with the student-athlete leadership group, Iowa Student-Athlete Advisory Committee (ISAAC). In addition to its community service and other activities, ISAAC has formed four advocacy groups for international student-athletes, women student-athletes, student-athletes of color, and LGBTQ student-athletes. Student-athletes are creating a community, Professor Zaharis noted, attending each others' competitions and celebrating each others' successes. At the end of the academic year, she continued, the PCA will receive reports on exit interviews and graduation success rates, among other data, and will use this information to write their own annual report with recommendations to President Wilson and the Athletics Department.

Professor Hollingworth indicated that she is one of the university's two Faculty Athletics Representatives (FAR's), the other being Professor Nicole Grosland in the College of Engineering. The UI is the only Big Ten institution for which both FAR's are women. She explained that the FAR's serve as the liaison between the Big Ten and the university, and between the NCAA and the university. The FAR's serve five-year terms and they are selected by the University President. Among other duties, the FAR's receive complaints about UI Athletics that have been submitted to either the Big Ten or the NCAA. They also attend weekly meetings with the senior administrators of the Athletics Department. FAR's try to travel with each team at least once, to ensure, for example, that student-athletes are given study time while on the road.

Professor Joseph asked about the implications for the university of the new name, image, and likeness (NIL) court rulings, allowing student-athletes to earn money through commercials, endorsements, etc. Professor Hollingworth responded that UI is adapting to this new environment. A company called Influencer is helping our student-athletes with their self-marketing attempts. Not many student-athletes are actually able to earn money from their names, images, and likenesses, she noted. For additional information about NIL at UI, Professor Hollingworth recommended that the group speak with Lyla Clerry, the Senior Associate Athletics Director for Compliance and Sport Performance, who could provide statistics on the number of UI student-athletes who are earning money from NIL and how much money they make. Past President Yockey asked if any changes had occurred in the PCA's role or in the operations of the Athletics Department in response to the legalization of sports gambling in Iowa. Professor Hollingworth responded that no rules had changed. Student-athletes are still prohibited from gambling on the sports that they play. Professor Zaharis commented that NIL and sports gambling are still new, but that in time policies may well emerge, first from the NCAA and then from the university.

Professor Gardinier, from the Emeritus Faculty Council, referenced a recent news story about head football coach Kirk Ferentz disbanding an alumni advisory committee that he had formed in response to players' concerns about alleged racism and bullying in the football program. Professor Hollingworth responded that it was incorrectly reported that the committee had been disbanded. She further referred the group to Steve Roe, the Assistant Athletics Director for Communications, and to Gary Barta, the Athletics Director, for additional information. Professor Zaharis added that she had followed this news story, but had not detected any concern in which PCA should involve itself. She noted that UI's football program has the lowest transfer portal rate in the Big Ten.

- *President's Report (Teresa Marshall)*

President Marshall indicated that the [review report](#) of the Office of the Vice President for Medical Affairs has been posted on the Faculty Senate website. The review had begun just prior to the onset of the pandemic and was recently accepted by President Wilson. President Marshall thanked the chair and review committee members for their efforts.

Noting that the Faculty Senate nominations process is underway, President Marshall urged Councilors to identify colleagues who might be interested in Senate service and encourage them to seek nominations. She added that the [committee recruitment process](#) will begin soon. Interested faculty members should watch for the mass email announcement and then apply for service on charter, university, and Faculty Senate committees. Finally, the call for nominations for the [Michael J. Brody Award for Faculty Excellence in Service to the University and the State of Iowa](#) has gone out.

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

V. Executive Session: Regents Award for Faculty Excellence Recipients (Teresa Marshall)

Professor Pizzimenti moved and Professor Joseph seconded that the Council move into executive session. The motion carried unanimously.

President Marshall announced the 2022 recipients of the Regents Award for Faculty Excellence.

Professor Pizzimenti moved and Professor Bradley seconded that the Council move out of executive session. The motion carried unanimously.

VI. Announcements

- The next Faculty Senate meeting will be Tuesday, February 8, 3:30 – 5:15 pm, via Zoom.
- The next Faculty Council meeting will be Tuesday, March 8, 3:30-5:15 pm, via Zoom.

VII. Adjournment – Professor Brogden moved and Professor Erdahl seconded that the meeting be adjourned. The motion carried unanimously. President Marshall adjourned the meeting at 4:50 pm.