Academic Council  
Minutes: November 3, 2008

Faculty members present: Bernhardt, Bowen, Dallavalle, Dennin, DeWitt (Secretary of General Faculty), Garvey, Greenberg, He, Massey, Nantz, Pomarico, Preli (Chair), Rakowitz, Robert, Strauss, Strauss, Yarrington

Administrative members present: Crabtree, Grossman, Novotny, Solomon, Wilson

Student representative: Lamendola

Regrets: Boryczka, Thiel, Franzosa

Guests: Malone, Russo

The meeting was called to order at 3:35 pm.

1. Presidential courtesy: Prof. Preli stated that Father von Arx would come at 4:30 and asked for a vote to re-order the agenda.

   MOTION [Greenberg/Dennin]. To re-order the agenda.
   MOTION PASSED unanimously.

2. Report from the Secretary of the General Faculty

   a. Governance Subcommittee report (Item 4c).
      Prof. DeWitt stated that the executive committee of the Academic Council had discussed how to proceed and recommended that a discussion of the report and the opportunity for questions would take place for this meeting. The committee recommended the faculty hold off on voting on the report until it goes to the general faculty for review.

3. Report from the Executive Secretary

   a. Approval of minutes of meeting of October 6, 2008.

      MOTION [He/Dallavalle] to approve the minutes of 10/6/08.
      Motion passed 14-0-1.

   b. Correspondence: Prof. Bowen presented four items:
      1. Change in turbo courses added to agenda item 7.b
      2. Minority report from Mary Frances Malone on sunset courses in item 4a.
      3. Memo from Curt Naser about academic dishonesty policy item 4b.
      4. Email from faculty member about a four year calendar and if it is in compliance with university policy. The executive committee will report back to the council.

4. Council Committee Reports
a. **Subcommittee on sunsetting of courses**: Prof. Rakowitz (chair) presented a majority report. The committee stated that it made sense to revise the current academic policy and recommended this be forwarded to the UCC. The committee suggested that after four years of not being offered a course is removed from the catalog. A suggestion was made to have a separate listing of sunsetting courses in the catalog.

**MOTION [Rakowitz/Nantz]**. That the Academic Council forward the Report from the Subcommittee on Sunset Provisions 10/27/08 and the minutes of today’s meeting to the UCC and direct the UCC to review the Journal of Record policy on sunset provisions and to propose changes addressing the issues raised in the report.

AAVP Malone presented her minority report and concern about the NEASC standard. After attending a meeting, the NEASC requirement became clearer. Also, the marketing department felt that to label active and inactive courses gave an artificial distinction in having two sections. It would be awkward. AAVP Malone asked that the subcommittee review her report.

Prof. Rakowitz stated that the committee did find some university catalogs that do list both active and inactive courses. She said the committee felt this needed to be moved ahead and addressed by the UCC because it related to curriculum policy and the deadline for catalog copy.

AVP Grossman asked to share his concerns. He agreed there are two issues when a course is “sunsetted” and needs curricular review and when it should be removed from the catalog. He stated that when a course is re-evaluated, that is faculty business. The issue of when a course can be listed in a university document is an administrative decision. The administration is responsible to determine when a course should be removed in consultation with the faculty.

Prof. Dallavalle asked for clarity of the motion. She asked what the UCC would receive – the motion, today’s minutes and the discussion.

Prof. Dennin asked who has ultimate responsibility for catalog copy. He asked who peruses the copy. He cited that there are concerns with items that are in the catalog that should not be there. AVP Grossman stated that his office, the Associate Academic Vice President Malone and marketing puts the catalog together. Dean Crabtree stated that all catalog copy for Arts & Sciences goes to the chairs, then to the Dean’s office and then to the AVP’s office. She stated that academic and current content goes to the department annually to be revised. New courses are checked by the assistant deans in Arts & Sciences and then they go to AAVP Malone.
Prof. Bernhardt asked why the Academic Council received this and not the UCC directly?

Prof. Rakowitz responded that she had not been on the Academic Council when the subcommittee was formed. But the Academic Council review of this item was due.

Prof. Massey spoke in favor of the motion. She stated that a distinction between when the courses are offered should be indicated by the language used e.g. offered annually or periodically.

**MOTION PASSED unanimously.**

b. Proposed change to academic dishonesty policy

Prof. Strauss stated that the subcommittee met twice and referred items about security and that were technical in nature to the faculty educational technology committee. The committee suggested that the council table item 6a on the change for the catalog until the report comes out in a month or two.

This item will continue to be tabled.

Prof. Dallavalle asked if the Council was going to ignore Prof. Naser’s memo. Secretary DeWitt said the email came after the agenda was set. He recommended that the AC executive committee send a response to the memo. Someone can put it on the next agenda. DeWitt stated that the issues the memo addresses are not within the charge of the subcommittee. He stated that the committee members were not setting in judgment of anyone and felt that there was no conflict of interest.

Prof. Nantz asked to review the charge. DeWitt clarified it by saying the subcommittee was reviewing policy. Prof. Yarrington stated that she felt that Prof. Naser might not know the charge. Dean Solomon asked what the committee’s charge was and how the policies were handled. Two members of the review panel were affected by this incident. This seemed important to consider.

Prof. DeWitt still did not feel this was relevant.

Prof. Massey made a motion to ask the committee to suspend their work. It was stated that this was an inappropriate motion. The faculty cannot act on an item that is not on the agenda.

Prof. Dallavalle asked about the process as to how to discuss Prof. Naser’s memo. She said there is a perception of conflict.
Prof. Bernhardt asked if anything this committee is doing would affect the student. He didn’t think there was a conflict.

Prof. Nantz stated that there is a procedure that you send items to the executive secretary of the council to be placed on the agenda. She thought this was something to be considered. Prof. DeWitt suggested that it be sent to the council and then we could proceed.

Chair Preli stated that the discussion of an item not on the agenda should be referred to the executive committee and they will let the council know how to proceed. The Council can then let the committee know whether to go forward. She will forward an email to Prof. DeWitt.

c. Subcommittee on Governance

Prof. Nantz, Chair, of the subcommittee thanked the members: Professors Greenberg, Thiel, Rakowitz and Yarrington for their work. Prof. Nantz reported that the subcommittee met five times and consulted with the administration, historical documents, faculty and AAUP resources. Some of the members attended a AAUP workshop on governance and faculty handbooks. The FWC and AAUP paid for the attendance. They reviewed 40-50 examples of faculty handbooks and found it very helpful. The subcommittee sent the Fairfield University faculty handbook to an AAUP expert for review and expected a report soon. The members reviewed the archives and historical record that gave information on current practices. They feel that their recommendations in the report are collaborative suggestions. The subcommittee tried hard to find common ground and brought a lot of their experience to the task. They worked with the BRC report that was received in May. On October 15, they were forwarded an email with a report from a working group formed by the president in late summer. The report was dated 9/24. The AC subcommittee was finalizing their report for AC as requested on 10/15. Therefore, they have not responded to the subsequent report of the President’s working group. They would do so if so charged by the AC.

Prof. Nantz highlighted five issues addressed by the BRC report.

Division of the Faculty Handbook

The issue is who has primary or sole responsibility for university issues. In the spirit of NEASC and the BRC, the subcommittee stated that the current faculty handbook urges consensus and collaboration on policy issues.

Reconstitution of the Academic Council as a University Council
The BRC report implies that when the AC sends a decision to the administration and the administration doesn’t agree with the decision, it then goes into limbo. This is not a good reading of the handbook regarding policy or process. If the decision is not agreed upon, the decision goes back into the system or back to the AC for further discussion.

Regarding broader representation on the AC, the subcommittee recommended that the AC needs to be more diligent about this and needs to make sure those students and all participants feel comfortable participating. A recommendation was to suggest that voting status be extended to the AVP and one academic Dean. This was felt to be a proportionate representation of faculty to academic administration in the university. Prof. Nantz also stated the work of the executive committee of the AC is mostly perfunctory and not policy-making. The subcommittee recommended adding an academic administrator to the executive committee of the AC. They suggested the AVP or his representative.

**Selection of Department Chairs**

The subcommittee recommended that this issue be sent to the College of Arts & Sciences.

**Openness of Meetings of the General Faculty**

Persons interested in attending the faculty can petition to be part of the meeting and minutes of all meetings are available online. All minutes from all faculty committees are also available online on the faculty secretary’s website. The subcommittee would welcome clarification of these issues.

**Journal of Record**

The BRC report’s description of the JOR is inaccurate. The JOR is a collaborative document and the faculty would welcome any suggestions on this. However, the subcommittee stated that a historical record is needed to see the evolution of policy over time and the JOR has served this purpose.

The subcommittee presented the above comments and the recommendations in the report and invited discussion. It was recommended that faculty not vote on the report in this meeting and that they encourage discussion. The AAUP report will be brought to the AC when it is received.

Prof. Massey stated that she tried to circulate the report to colleagues for responses. Some responses included: making the language in the JOR be more explicit; allowing for more student empowerment and having an agenda item for a student report; the issue of responsibility appears to be clear on page 25 of the handbook.
Prof. Bernhardt asked if there was any talk of more representation such as giving the student a vote. Prof. Nantz responded that it was felt the AC is a faculty body and that there are other vehicles available to students.

Prof. Yarrington stated that a consideration of staff and adjuncts had been discussed but again, there were other avenues available for those groups (students have a vote on UCC). Dean Wilson asked if there had been any discussion about graduate students or adult students being represented. Prof. Nantz said they would take that into consideration.

Dean Solomon asked about the addition of two seats for academic administrators. He wanted to know what was the sense of the role of an academic administrator on the AC. Prof. Greenberg stated it wasn’t discussed. There was concern if all academic administrators had votes would they look out for their school and university needs. By only allowing for two seats would there be misrepresentation of their role?

Prof. Nantz stated she was struggling with the same issue as a member of the AC. There is a broader interest than just her discipline area. She said she felt this would be the same for an administrator. When wearing two hats, there might sometimes be conflict.

Dean Crabtree stated that she felt participation of part-time faculty would be inappropriate. She asked if there was another site for them. Prof. Nantz, stated that in the report it states that they are covered in their school’s governance document. They have the most voice within their school. Prof. Yarrington was very concerned with this situation. She asked if we were doing enough for them by just representing their concerns in their school.

There was a question about the procedure for changing an item in the handbook. If the administration desires to change an item in the faculty handbook, what is the process or mechanism to move things forward? Is it possible that this wouldn’t be handled? Also fiscal responsibility was not mentioned in the report. There are items in the handbook that challenge the administration’s ability to fiscally manage. Prof. Nantz saw this as a nonissue. Prof. Greenberg stated that the Board of Trustees approved the faculty handbook nine times and ceded it to the faculty. There are multiple ways that the administration can bring items forward such as Presidential courtesy on the AC agenda. The Board of Trustees can recommend changes to the handbook.

Discussion was suspended at 4:30 pm.

5. Presidential courtesy
Chair Preli welcomed Father von Arx. Prof. Nantz stated that the faculty had just had a twenty minute discussion about the subcommittee’s response to the BRC report.

Father Von Arx stated that he wanted to share the discussions he has been having with faculty over the last one and a half weeks. He reported that he has been reviewing history in relation to the NEASC report on issues of governance. He must respond to the Commission’s letter of notification by next Fall. He must report on progress that has been made. In reviewing the BRC report, he must report on the progress we have made to implement their recommendations.

He reported that the Board of Trustees has invited faculty to join Board committees. He invited faculty members to attend the senior management meeting. Professors Preli, DeWitt and Bowen attended the last meeting.

In May, President von Arx stated he sent the faculty the suggestions regarding the faculty handbook. He appointed an outside committee over the summer including Dennis O’Brien, co-chair of the BRC and President Emeritus of Bucknell University and the University of Rochester, Rob Moore, AAUP, and Dennis Collins, former President of Occidental College, management consultant. The President passed their report on to faculty leadership and the entire faculty. The AC subgroup did not have time to incorporate those suggestions into their report. He asked the faculty to get back to him by Thanksgiving. He has a meeting with the Board of Trustees on Dec. 4 and needs to make a report. They are looking for “significant and meaningful” progress.

President von Arx stated that the two most important areas are: 1) shared governance. What constitutes effective shared governance between faculty, administration and the Board of Trustees? The main point is how to insure that all members of governance are talking earlier in the process to help the university develop. The structure and spirit are important parts of this process. He offered an example of how we structured the strategic planning process over the last four years. Meetings have resulted in changes in policies. He believes we need to restructure the AC and senior management groups. He believes that offering to give two votes to administrators is the beginning of the discussion. He felt this should not be tokenism and that this can be how to structure shared governance between faculty and administration. He wants to engage in real discussions to revise the Academic Council.

2) The second issue has to do with merit pay and salary. These were almost revised last year. He wants to have significant and meaningful progress to report in December.

Prof. Greenberg stated that he felt this was disingenuous to state that the faculty didn’t respond. Greenberg said that the BRC came to the faculty with their report and then the President formed a working group without any shared governance. Then the report was sent to the AC subcommittee after they were finishing their report, trying hard to meet the Oct. 15 deadline. Also in a letter to the faculty sent by the President, Prof. Greenberg stated that he felt there was a threat that if we didn’t do what the President wanted us to do then the Board of Trustees could unilaterally change the faculty handbook. This is not
true because any change needs a two-thirds vote of the faculty. Speaking for himself, he feels disheartened by this action.

President von Arx responded by saying he was looking for a willingness to put on the table what was in the working group report. Prof. Greenberg asked why the subcommittee didn’t receive the report earlier. President von Arx stated that he had more than one constituency that he had to report to and the Board of Trustees met in October.

Prof. Massey stated that the strategic planning process worked well and it took four years. The handbook has been around for a long time and may take a long time to revise.

President von Arx said he was not looking for resolutions. He wants to say that people are ready to have meaningful discussions.

Prof. Dennin stated that the big elephant in the room is health care premiums. The Board of Trustees wants the faculty to pay some of that. He doesn’t have a sense of what the Board of Trustees will give in exchange for a change in this policy. There is concern about veiled/unveiled threats that the Board of Trustees wants things done. As when the co-pay was unilaterally done during salary negotiation. The money saved did not go to salaries. Dennin stated that it is ok if you want me to give up something but, what will I get in return.

President von Arx stated that he can’t reduce the revision of the handbook to just health benefits. A further reading of the working group report should show that. Discussion last year and negotiations came close to a change. It didn’t happen but came close.

Prof. Massey stated that she was disturbed by the implication that since negotiations were not successful that, from an administrative perspective, there was considered to be a lack of progress.

Prof. Bowen stated that the section on reconfiguring the Academic Council into a university council was a concern. She is persuaded by the AC being a place for faculty to discuss faculty issues and felt the university council has the potential to do more and that she feels the AC should be retained as it is since it is the only place for all sectors of faculty to deliberate on the most significant academic issues.

Prof. von Arx stated that his reading of the work of the AC is so essential to the university and notion of shared governance is analogous to the Senior Management team. He feels there needs to be a faculty voice there. The key difference is that there are no votes in the senior management team meetings. They work by consensus. There are minutes. Is there a site for the minutes and agendas of these meetings to increase transparency?

Chair. Preli asked to end the discussion at 4:50 pm.
Due to time constraints, Prof. Yarrington asked if we could return to item 7b under new business.

**MOTION.** [Greenberg/Bowen] That the AC request the current subcommittee to look at the President’s working committee report and make recommendations at the next meeting on Dec. 1.

**MOTION PASSED**

Dean Wilson asked when the Board of Trustees will meet. That is Dec. 4. Prof. DeWitt recommends this an agenda item for the next meeting and that he will keep AC members apprised of the progress of the response and send it out prior to the meeting. AVP Grossman suggested we call a special meeting. Prof. DeWitt said there was not enough time due to the holidays. He stated he would invite the chair of the committee on conference to the Dec. 1. meeting so that they can report to the Board of Trustees what transpires. He also suggested the Board of Trustees could invite one of the AC subcommittee members to their meeting. Prof. Nantz stated the response wouldn’t be lengthy and it would be an overburden to do it.

**7b. Change in availability of one a week courses (turbos)**

There was a memo sent by the AVP stating a change in the schedule for turbos. Prof. Rakowitz stated in 1999 the EPC recommended that the AC create a subcommittee to look at the schedule for these courses. The AC looked into it and didn’t think that a change could be made without AC approval.

**MOTION [Rakowitz/Yarrington]:** That the Academic Council ask the AVP or his designee to report to the Council at its next meeting on the procedure that was followed leading to the schedule changes and the rationale behind the changes.

Prof. Nantz stated she didn’t know what the confusion was. Prof. Yarrington stated that all of her program courses are turbos and that there were only two time slots 8-10:30 and 5-7:30 available. She had concerns about adjuncts having difficulty meeting these times. This has caused great anxiety.

Prof. Nantz called the question.

**MOTION PASSED** unanimously.

8. Adjournment

**MOTION to adjourn.** **MOTION PASSED** unanimously.

Meeting adjourned at 5:15 pm.

Respectfully submitted,
Tracey Robert