This document contains background information for most of the pending items. Here are a few preliminary notes.

- The pending items are labeled as they appeared on the agenda for the 11/1/10 AC meeting.
- The initial sections below contain summaries of the background materials. The background materials themselves are in Appendices A through G at the end of this document.

Pending Item A

Recommendations in report in spring 2002 from Faculty Athletics Committee concerning (i) amounts of time student-athletes are absent from classes for trips/athletic activities, (ii) demands placed on student athletes for year-round training, (iii) number of scheduled athletic events that conflict with the University’s final exam schedule, and (iv) amount of money spent on various athletic programs. (See agenda and attachments for 12/4/02 AC meeting; item 6.b of 3/3/03 meeting.)

I. Notes on minutes, etc. relevant to Item A.

A. 12/2/02 AC meeting. (Note: the 12/4/02 date in the description of Item A should be 12/2/02.)

See Appendix A for the final report from Faculty Athletics Committee to the Academic Council.
Summary: In fall 2000 the AC requested the FAC investigate the four issues referred to in the description for pending Item A. The report from the FAC was an agenda item for the 12/2/02 AC meeting, and the report was included in the packet for this meeting. The AC did not get to the item at this meeting or the next (2/3/03) AC meeting, but did get to it at the 3/3/03 AC meeting, and notes on that meeting are below.

B. 3/3/03 AC meeting.

See Appendix A for an excerpt of the AC minutes where this item was discussed.

Summary: The AC chair suggested the ACEC distill the recommendations in the FAC report to a smaller number of relevant recommendations, and the Council agreed. These smaller number of recommendations were considered and voted on at the 5/3/03 AC meeting, and notes on that meeting are below.

C. 5/3/03 AC meeting.

See Appendix A for an excerpt of the AC minutes where this item was discussed.

Summary: The ACEC distilled the recommendations from the FAC report down to two motions, which were discussed at the 5/3/03 AC meeting. Here are the motions and outcomes of votes on the motions:

- A motion that the AVP / SVP should give a report to the AC each semester on approved exceptions to the policy of not scheduling athletic events that conflict with final exams. This motion passed unanimously, and is now one of the AC’s ongoing items. Since then, the AC has received such a report most if not all semesters.

- A motion that the FAC should include the Director of Recreation and a representative from FUSA and SAAC as ex officio members. This motion was tabled by a vote of 10-1.

Pending Item B

Issues raised at the 10/4/99 AC meeting concerning faculty participation on the finance/budget committee. (See minutes of AC meeting of 11/4/99; 10/29/99 letter from Phil Lane attached to 5/1/00 AC agenda; excerpt of GF minutes of 11/13/92 attached to AC 5/1/00 agenda; AC motion of 11/6/00.)

I. Notes on minutes, etc. relevant to Item B.
A. 10/4/99 AC meeting

The minutes of the 11/1/99 AC meeting refer to a discussion at the 10/4 AC meeting involving Item B, though nothing is reflected in the minutes for the 10/4 meeting that is relevant to Item B.

B. 11/1/99 AC meeting. (Note: the reference in the description for Item B to the 11/4/10 AC meeting is a typo—that meeting was on 11/1/99, and the item was 6.d on the agenda.)

See Appendix B for the discussion of this item as recorded in the minutes.

Summary: The Council discussed the issues raised by members of the Budget Committee, including the issues noted in the memo to the AC from Phil Lane dated 10/29/99. See below for notes on Phil Lane’s memo. No recommendations were made or motions passed at the 11/1/99 AC meeting relevant to pending item B.

C. 10/29/99 letter/memo from Phil Lane to AC attached to 5/1/00 AC packet.

See Appendix B for a copy of this memo.

The Budget Committee met on 10/29/99, and this memo reflects the minutes of that meeting (see reference to this in 10/4/99 AC minutes). The memo does not appear to have been included with the packet for the 11/1/99 AC meeting, but the minutes of that AC meeting suggest the AC members had a copy of the memo.

The memo was attached to and discussed at the AC agenda of 5/17/00. See notes below for the motions made at the 5/17/00 meeting.

D. Excerpt of GF minutes of 11/13/92 attached to AC agenda of 5/1/00

See Appendix B for the excerpt of the GF minutes of 11/13/92

The minutes record these two motions relevant to the Budget Committee, both of which passed unanimously.

a. One motion is that the BC should coordinate their efforts with other committees (Salary Committee, AC, FWC/AAUP, etc.)

b. The other motion directs the faculty members on the BC not to consent to a final budget or tuition rate until the Salary Committee has completed successful negotiations.

E. AC motion of 5/17/00. (Note: The current list of pending items has this motion coming in
the AC meeting of 11/6/00. But there is nothing of this sort discussed at the 11/6/00 AC meeting. In digging through old agendas and minutes I found that at some point the correct reference, 5/17/00, was replaced with the incorrect 11/6/00 reference.)

See Appendix B for an excerpt from these minutes.

These three motions, relevant to pending item B, were made at the 5/17/00 AC meeting:

a. MOTION: that those concerns (reported in Academic Council minutes of meetings on October 29 and November 13, 1999, and in his [Phil Lane’s] letter and in an excerpt from General Faculty Minutes of November 13, 1992, attached to the agenda for the May 1, 2000 meeting) be presented to the Academic Affairs Committee of the Board of Trustees, with the request that they be forwarded to the full Board.

b. MOTION: to table the motion [i.e., the motion above].

c. MOTION: that the Academic Council request the current and past members of the finance/budget committee to provide their views regarding procedures for determining the charge of the committee.

Motion (b) passed, effectively killing motion (a). Motion (c) passed, but seems never to have been acted on. Looking at the agenda of AC meetings going out 3 years, there is no record of any input of the sort called for in the motion, nor is this item ever put back on the agenda.

Item C

Distance learning issues. (See item 7 of AC minutes of 5/5/03.)

I. Notes on minutes, etc. relevant to Item C.

A. 5/5/03 AC meeting.

See Appendix D for an excerpt of the AC minutes where this item was discussed.

Summary: The AC had an extended discussion of this item, ending with a vote on the following two motions:

- A motion to create a subcommittee to look into distance learning. This motion failed by a vote of 2-8.
A motion that the AC Executive Secretary ask the chairs of Ed Tech and UCC, and the Director of Academic Excellence, to meet with the AC to discuss distance learning. This motion passed unanimously; however, there is no indication the ES contacted the people referred to in the motion.

Item D

Report from the Educational Technologies Committee on security, long-term feasibility, potential for integration, ownership, accessibility, etc. of servers containing faculty data. (See AC minutes of 2/5/2007; AC 4/2/07 3b; AC 12/3/2007 7b).

I. Notes on minutes, etc. relevant to Item D.

A. 2/5/07 AC minutes.

See Appendix D for relevant excerpt of minutes, including motion passed by AC.

Summary: the AC had a lengthy discussion, and passed a motion directing the ETC to study the issues and report back to the AC. The ETC completed its charge from the AC when it reported on 12/3/07. See notes below for summary of the 12/3/07 AC meeting.

B. 4/2/07 AC minutes.

This is listed in the description of pending Item D, but there is nothing on the AC agenda or in the minutes for this meeting that is relevant. The closest thing is a piece of correspondence in the packet from Curt Naser, but it is not really relevant to the issues in item D. A search of the agendas for the remainder of this year and start of the next year showed the topic did not come up again until the 12/3/07 meeting.

C. 12/3/07 AC minutes. (Note: the reference to agenda item 7.b in the pending items is a typo. This was agenda item 6.a.)

See Appendix D for the report from the ETC and for an excerpt from the AC minutes for this meeting.

Summary: The ETC report noted that a security audit was underway, and recommended a joint ad hoc committee be formed to recommend policies involving access to and use of faculty data. The AC acted on this recommendation by passing a motion to form the Faculty Data Committee (see pending Item E).
Item E

Faculty Data Committee (AC 12/3/07).

I. Notes on minutes, etc. relevant to Item E.

A. 12/3/07 AC meeting.

See Appendix E for excerpt of minutes of 12/3 meeting, including the motion forming the Faculty Data Committee.

Summary: The AC discussed the report from the ETC and passed a motion forming the Faculty Data Committee.

B. 10/6/08 AC meeting. (Note: This meeting is not referenced in the description of pending Item E, but the packet and minutes contain the materials most relevant for this item.)

See Appendix E for an excerpt of minutes from this meeting, and also for the Faculty Data Committee report containing the recommendations from the committee.

Summary: The Faculty Data Committee made 7 recommendations, of which the first 5 were action items (but not action items for the AC). Billy Weitzer’s statement in the minutes sums up the situation well: “Weitzer said that progress is underway on recommendations 1 through 5 and perhaps he could make a summary report on that progress at the end of the year.”

Item F

Subcommittee (Nantz, Mulvey) to consider ways of ensuring that faculty policy is correctly stated in official documents. (See AC minutes 10/1/2007)

I. Notes on the minutes, etc. relevant to Item F.

A. 10/1/07 AC minutes

Background: for several years we had been encouraging the AVP’s office to assure that university documents contained accurate statements. With the motion below, the AC gave the task to an AC subcommittee.

MOTION: A subcommittee of two, including the Faculty Secretary, should be appointed
to consider ways of ensuring that faculty policy is correctly stated in official documents.

B. 3/9/09 AC meeting

MOTION: The Council charges the existing subcommittee of Professors Mulvey and Nantz (See Pending Item F) to work to ensure that our approved academic grievance procedures are accurately stated in university documents

C. 5/3/10 AC meeting

MOTION: that the Academic council endorse the recommendation that all University documents that contain the Non Discrimination and harassment Policy be changed to substitute the amended policy. (see page 13, #3, to end of sentence). Further, the Academic Council directs the existing AC subcommittee (see AC pending item F) that is charged with considering ways to ensure that academic policy is correctly stated in official documents, ensure that the newly approved language on the harassment policy be accurately reflected in all University documents.

Item G

Issues related to parking on campus; faculty on University parking study (AC 2/5/07 7c; AC 3/5/07 6a; AC 4/2/07 6a; AC 9/10/07 3bi; AC 10/1/07 6c; AC 2/4/08 3bi).

I. Notes on minutes, etc. relevant to Item G.

A. 2/5/07 AC minutes

See Appendix G for excerpt of minutes.

Summary: This motion was made: “MOVED: That the Academic Council calls on the administration to restore faculty access to all parking lots which were open to faculty in academic year 2004-2005.” A vote on the motion was postponed until the next AC meeting.

B. 3/5/07 AC minutes

See Appendix G for excerpt of minutes.

Summary: There was a brief discussion of the parking issue, and the motion above under (A) passed.

C. 4/2/07 AC minutes
See Appendix G for excerpt of minutes.

Summary: No substantive discussion took place.

D. 9/10/07 AC packet, correspondence under agenda item 3.b.i

See Appendix G for this correspondence.

Summary: These are pieces of correspondence from me (as AC ES) to Mark Reed (the appropriate administrator for parking issues). I passed on the motion above (under (A)) and the relevant minutes, and Mark responded. One of the main points of his response was to say that a large study of parking would be undertaken, so it was not a good time to initiate changes in the parking situation.

E. 10/1/07 AC minutes

See Appendix G for excerpt of minutes.

Summary: The Council was notified that there would be a study of parking by a committee with faculty representatives, and the Council was given a brief update on the parking situation.

F. 2/4/08 AC packet, correspondence under item 3.b.i

See Appendix G for this correspondence.

Summary: There are two pieces of correspondence, one from Irene with an update on the parking situation, and one from Billy Weitzer announcing the selection of a firm to conduct a parking study and expressing he would like a faculty representative to join a group overseeing the study.
Snyder – I agree that the language is unclear.
Thiel – I was just trying to find language that included no prejudice or predisposition to an outcome.
Haug – Would it further extend issues of inequities?
Thiel – It would be the job of the committee to address inequities; for example, nothing connects merit with rank.
Scheraga – Aspects that are overarching priorities, the cut across the whole university, need to be articulated.
Snyder – College does have a plan that addresses differences in rank.
Weiss – We have not seen the college plan.
Katz – The spirit of the discussion with the AVP was that this should not be a fishing expedition. The hope was that this committee would help to bring harmony to a troubled area.
Weiss – Want the first sentence in. Would have a hard time voting for the motion without it.
Thiel – How about just striking “the value of” from the new motion?

**Motion:** Move to amend the motion by striking the words “the value of” from the 1st sentence. (2nd by Scheraga)

Martin – Not sure what this would accomplish.
Thiel – It’s a starting point. It would mean that anything could come up.
Keenan – This would make the motion broad enough to include “guiding principles”
Weiss – Should a time frame be added, e.g., by September 1st.
Thiel – We must count on the good sense of our colleagues; let them work it out.
Weiss – I still would like to see a time frame.
At this point the question was called on the amendment to eliminate the words “the value of” from the 1st sentence of the main motion. **Approved unanimously.**
The motion to amend the main motion by striking the words “the value of” from the 1st sentence, was voted upon. **Approved unanimously.**
The question was called on the main motion. **Approved unanimously.**
The main motion was approved. Twelve in favor, two opposed.
Weiss – Still would like to see a time frame.

**Motion:** (2nd by Thiel) The committee will report to the Academic Council by the October, 2003 meeting. **Approved unanimously.**

Katz – We must move quickly to notify faculty now so that we can elect the committee at our next meeting.
Thiel – Faculty should be apprised of the committee by e-mail and fiber media.
Hill – Mike Cavanaugh and I will see to it.

**b. Consideration of 11 recommendations from the Athletic Committee (see pp. 28-30 from the December 2, 2002 agenda)**
Katz suggested that the executive committee and anyone who wishes to participate, would distill the 11 recommendations to a smaller number of “relevant” recommendations.
The Council members nodded their approval

**c. UCC motion regarding Distance Learning (see pp. 25-27 from the December 2, 2002 agenda)**
Katz suggested that it would not be wise to discuss this issue in the absence of the AVP, because he has made known that he has some concerns. If there is no objection, consideration of this issue will be postponed to the next meeting.
The Council members once again nodded their approval
Appendix A

Background
Before the 2000-01 academic year, the Academic Council (AC) requested that the Faculty Athletics Committee (FAC) investigate four issues and ultimately provide recommendations related to each. During the 2000-01, the FAC focused on “fact finding”; during the 2001-02, the FAC focused on developing recommendations. Results of the FAC’s work over the past two years are summarized in the report that follows.

Issues
1) The amounts of time student-athletes are absent from classes for trips/athletic activities
2) The demands placed on student-athletes for year-round training
3) The number of scheduled athletic events that conflict with the University’s final exam schedule*
4) The amount of money spent on various athletic programs at Fairfield

*Subsequently, this issue took on additional prominence. Orin Grossman (AVP) objected to the policy passed by the AC to exempt from the basic release time policy final exams and alternative end-of-semester evaluations. Thereafter, the AC asked the FAC to consider this issue with Gene Doris, Athletics Director, and present a joint recommendation with the UCC if we deem a change in the release time policy.

Actions to investigate the issues
1) Request written responses about the issues from Gene Doris (Athletic Director) – See Attachments A and B
2) Survey student athletes about the time demands placed on them by their involvement in athletics – See Attachments C, D and E
3) Consult with others on campus for additional information (e.g., Orin Grossman [AVP], Robert Russo [Registrar], Bill Lucas [VP for Finance], etc.)

Key findings and recommendations for each issue

**Issue 1: The amounts of time student-athletes are absent from classes for trips/athletic activities**

<table>
<thead>
<tr>
<th>Key Findings</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Coaches determine trip schedules with oversight from the Athletic Director (AD)</td>
<td>(1) The Athletics Department develop and the Academic Division approve formal written guidelines regarding the scheduling of athletic trips (especially regarding appropriate departure times)</td>
</tr>
<tr>
<td>(2) The AD seeks approval from the AVP’s office when conflicts arise between major trips and the academic calendar</td>
<td>(2) The AVP’s office include the AD on distribution of the preliminary master calendar so that conflicts can be minimized</td>
</tr>
<tr>
<td></td>
<td>(3) The Academic Division investigate whether the current system of priority registration might be improved to minimize class conflicts for student-athletes</td>
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</table>
### Issue 2: The demands placed on student-athletes for year-round training:

| Key Findings | 1) On average, student-athletes spend about 40 hours/week on athletics during the traditional in-season; 20 hours/week during the traditional off-season; and 35 hours/week during the “non-traditional” in-season (e.g., fall baseball)  
2) When “translated” into NCAA “countable activities,” these averages generally fall within the time limits imposed by NCAA Bylaw 17 (which Fairfield’s Compliance Coordinator, Alison Sexton, monitors); based on our survey responses, it appears that football may warrant further investigation at this time as football seems to have the athletes who are (a) spending the most time in ‘practice’ and (b) feeling the most pressure to participate at the expense of academics.  
3) Milo Peck (NCAA Faculty Athletics Representative) is a resource to whom the students can provide “exception reports” during their exit interviews. |
| Recommendations | 1) As our findings reveal differences by sport (i.e., coach), we recommend the Academic Division continue to monitor this important area by regularly surveying student-athletes about the time demands placed on them by athletics. Further, we recommend:  
2) The Athletics Department, the NCAA Faculty Athletics Representative (FAR) and the Academic Division work together to develop and disseminate a formal procedure for reporting and investigating concerns raised by student-athletes about the demands placed on them that may arise during the year.  
3) The Athletics Department, the FAR and the Academic Division work together to develop a formal procedure for the FAR to follow when students raise concerns at their exit interviews about the time-dimands placed on them by athletics (i.e., to whom the information is reported, how it is investigated, etc.) |

### Issue 3: The number of scheduled athletic events that conflict with the University’s final exam schedule

| Key Findings | 1) Sometimes conflicts arise due to oversights – but the AD seeks approval from the AVP’s office when this occurs  
2) In many instances, conflicts arise because our final exam schedule: (a) holds final exams on weekends and generally ends one week later than other conference schools; and (2) is not “final” and, therefore, not provided to the AD more than one year in advance (athletic events, particularly tournaments, are scheduled far in advance, sometimes as much as five years in advance). |
| Recommendations | 1) To minimize instances of oversight, we recommend that the Athletics Department develop and implement a formal system of review to govern athletic events scheduled by coaches  
2) We recommend that the Academic Division investigate the possibility excluding weekends as final exam days  
3) As already suggested, we recommend the AVP’s office include the AD on distribution of the preliminary master calendar so that conflicts with the final exam schedule can be minimized. |
### Issue 4: The amount of money spent on various athletic programs at Fairfield

#### Key Findings

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<th>Category</th>
<th>2000-01 Amount</th>
<th>2001-02 Amount</th>
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</thead>
<tbody>
<tr>
<td>Athletic Aid</td>
<td>$2,415,000</td>
<td>$2,600,000</td>
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<tr>
<td>Men's Varsity</td>
<td>1,579,000</td>
<td>1,616,000</td>
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<td>Women's Varsity</td>
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<td>Facilities</td>
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<td>Sports Medicine</td>
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<td>Academic Assistance</td>
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<td>Club Sports</td>
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<tr>
<td>General Athletic</td>
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</tr>
<tr>
<td>Intramurals*</td>
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<tr>
<td>Student Recreation*</td>
<td>351,000</td>
<td>321,000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$6,877,000</strong></td>
<td><strong>$7,482,000</strong></td>
</tr>
</tbody>
</table>

*Note: Beginning in 2001-02, Intramurals & Student Recreation were separated Athletics*

1. Trips for tier I sports are funded by guarantees from the institution visited; trips for tier II-IV sports are funded through student fund-raising.
2. In 2001-02 Recreation/Intramurals was separated from Athletics; it has separate leadership (Phil Palumbo, Director of Recreation) and its own budget.

#### Recommendations

1. Despite an increase in the overall athletic budget from 2000-01 to 2001-02, several important areas experienced cutbacks: academic assistance; club sports; general athletic/recreation; intramurals; and student recreation. Going forward, we recommend the FAC monitor this information closely and investigate why these important areas have experienced cutbacks when the overall athletic budget has increased.
2. We recommend a change in the structure of the FAC to include the Director of Recreation as an ex-officio member of the FAC.

### Other activities/initiatives

*Participate in NCAA Certification Self-Study Interim Process by serving on Academic Integrity subcommittee of Athletic Advisory Committee (note that the interim report, which is due to the NCAA by May 15th, is now posted on the Fairfield website)*
W. Tellis said that we need such a committee to come back with proposals on the issue. T. Snyder said that we should wait for the Academic Excellence Committee to be formed. P. Greiner wondered what committee will have what responsibilities. A. Katz said that we could have Larry Miners talk to AC in September. J. Yarrington said that we need some advisory committee. We need to address this issue. J. Weiss said that faculty committee process should be supported and not just an appointed director of Academic Excellence. E. Wilson said that perhaps faculty development day in December should deal with distance learning issues. N. Solomon said that the proposed committee does not have a charge or direction. It does not have a clear purpose. P. Greiner calls question. J. Orman seconded the motion.

Question is called 5 to 3.
On the issue of creating a subcommittee to look into distance learning.

Yes  2
No   8

The motion was defeated.

R. Salafia then moved the Academic Council Secretary ask the Chair of Educational Technology, the Chair of UCC and the Director of Academic Excellence to meet with Academic Council to discuss distance learning. P. Greiner seconded motion. The motion passed unanimously.

8. New Business

Katz and J. Simon moved and seconded.

(a) Given the Athletic Department's policies of not scheduling athletic events to conflict with final exams, the Academic Vice President should, each semester inform the Academic Council of any approved exceptions to that policy during the previous semester.

J. Orman called the question. D. Keenan seconded the call. Question called. Motion passed unanimously.

(b) A. Katz and J. Simon moved and seconded the motion.

"The Faculty Athletic Committee should include the Director of Recreation and a Representative from FUSA and SAAC. All three of these individuals
would be ex-officio members of the committee.” (This would be a handbook change)

J. Orman moved to table motion.
D. Keenan seconded the motion to table.

The proposed handbook change was tabled.

Yes 10
No 1
Abstain 1

9. J. Simon moved to instruct chair of AC to tell FUSA of their opportunities to serve as listed in Handbook on permanent faculty committees.

J. Orman seconded the motion.
Question called.
Motion approved unanimously.

10. P. Greiner moved to send W. Tellis’ recommendations about the electoral problems of our faculty elections to Committee on Committees.

J. Orman seconded motion.

M. Cavanaugh said it should be sent to Committee on Committees.
J. Yarrington said this committee would think about these issues.
O. Grossman said it is an issue.
J. Orman called question.
J. Simon seconded the call.

The motion to send W. Tellis’ concerns and recommendations about faculty elections to the Committee on Committees passed unanimously.

His suggestions that were passed on were:
(1) Instruct each school to elect its own members for its specific committee vacancies and report to the Secretary of the Faculty.
(2) Instruct each school’s Dean to conduct a special election when a committee member resigns.

11. The EPC brought to the AC a motion to work toward lower student to faculty ratios.

The AC thanked EPC for their observations about the lack of meeting our goals for the ratio.

12. The Academic Council then thanked on behalf of the faculty Thomas Regan, S.J. for his outstanding service at Fairfield University. Fairfield University will miss Tom Regan and the Council wished him all the best in his new position.

Alan Katz thanked Mike Cavanaugh and Malcolm Hill for their service to the faculty AC applause.
M. Cavanaugh thanked A. Katz for his leadership as Chair of AC. AC applause.
Professor Rosivach made a motion to amend the Journal of Record to be congruent with the language in the catalog on p. 21-22. Professor Lane seconded the motion.

Professor Thiel highlighted the difference between memos to the Council, dated 5/12/98 and 4/97, written by AVP Wall. In the 4/97 memo, AVP Wall recommends that first semester freshman are no longer exempt from probation. In the memo dated 5/12/98, AVP Wall states, “the freshman forgiveness rule is still in effect”. The language in the catalog is consistent with the 5/12/98 memo. Professor Nantz spoke against the motion as she felt the issue should go back to the Curriculum Committee. Discussion followed with regard to the set of circumstances surrounding the memos. After considering the circumstances, Professor Rosivach withdrew his motion.

Professor Lang made a motion to refer the issue of language clarification to the Curriculum Committee.

The motion passed with the following votes:
In favor: Professors Denenberg, Fleitas, Gill Lopez, L. Katz, G. Lang, Martin, Naser, Rosivach, Salafia, and Thiel
Opposed: Professors Deak and Lane
Abstained: Professor Coleman

6d. Issues raised at the 10/4/99 meeting of the Academic Council re: faculty participation on the finance/budget committee. (pending item Q)

Professor Nantz said that Professor Lane raised some issues regarding faculty participation on the finance committee, which has been renamed the budget committee. She referred the Council members to the memo from Professor Lane. Professors Lane, Regan, and Nantz met on 10/29/99 and the minutes of their meeting are reflected in the memo. Professor Lane discussed his memo (see attached). He solicited questions.

AVP Grossman remarked that the committee membership includes a staff person. Professor Lane responded that the staff person never attended meetings. Professor Deak inquired as to why the committee’s name was changed from “finance” to “budget”. Professor Lane stated that the President changed the name after a meeting with the committee. Professor Deak further asked if the committee’s charge was expanded to include the entire budget. He commented that looking at new monies has been a past charge. When the vice presidents are asked and respond to questions regarding the budget it provides the system with checks and balances. Professor L. Katz asked what are the benefits of the Trustees understanding. Professor Lane answered that they’d understand the process better, who’s making decisions regarding faculty. Dean Manton expressed concern about the committee not keeping minutes. Professor Nantz responded that the minutes are confidential. The committee passes information along to the Trustees.

6a. Report from the EPC on impact of new time codes (pending item I). Professor O’Neill was present to answer questions regarding the EPC report to the Council (see attached). Professor Lang asked about the time codes that Professor Lakeland developed. Professor O’Neill responded that currently classes begin the same time throughout the week. AVP Grossman commented that the new model allows for more two day a week classes and avoids the MWF/TTH model.

Professor Lang made a motion to accept the recommendations of the EPC and to form an ad hoc committee consisting of one representative from EPC, three general faculty, two administrators,
TO: Academic Council  
From: Phil Lane  
Re: Finance Committee  
Date: 10/29/99  

I believe that several issues regarding the University Finance Committee need to be addressed by Council with respect to the Council’s discussions with the Committee with the Board.

1. The membership of the committee is the six vice-presidents, three faculty members and one student.
2. The committee does not keep minutes and does not vote.
3. The information for the meeting is distributed at least to the faculty and the student at the meeting.
4. The quality and quantity of information from the Vice-presidents is highly variable and for at least one vice-president it required intercession by the president.
5. The internal transfers with division are not documented.
6. The level of analysis of existing allocations is at best incomplete.
7. The committee only focuses on the new funds that are not already allocated by contract or other required relationship.

Recommendations:

1. A serious internal audit is required. Any internal audit should be completed done by an external accounting firm and submitted to the committee and the board.
2. A human resource audit with both inside and outside personal needs to be completed and submitted to the committee and the board.
3. A systematic attempt at zero-based budgeting by every division is required with documentation for the committee and the board.
4. Faculty members of the Finance (now Budget) Committee should meet with the Finance Committee of the Board of Trustees for at least one half an hour every year.
in fact inform the local chapter, but by then the Salary Committee had already learned of the administrations moves from the copy of the salary report which it had requested and obtained from the administration.

Elections to the Finance Committee

The Chair reminded the faculty that at its most recent meeting the Academic Council had called for the election of two faculty to the Finance Committee, one for a term ending in May 1993 and the other ending in May 1994. M. Regan and W. Ryba were nominated from the floor, nominations were closed, and both were elected by acclamation. M. Regan agreed to serve the term ending in May 1993 and W. Ryba agreed to serve the term ending in May 1994.

D. Greenberg, noting that there existed no charge or definition of the Finance Committee, moved the following two motions:

1. The faculty members on the Finance Committee shall coordinate their efforts with the Salary Committee, Academic Council, FWC/AAUP, and any other committee of the General Faculty whose mission will be influenced by particular budget decisions. The shall further take advantage of internal and external consultants in analyzing budget and financial data.

2. The faculty members of the Finance Committee shall not consent to a final budget or setting of tuition rates until the Salary Committee has completed successful negotiations on the salary and benefit portions of the next year's contract.

Apart from a perfecting amendment by L. Miners there was no discussion of the first motion, which was approved unanimously with no abstentions recorded.

R. Wall expressed his view that the second motion would paralyze the faculty members on the Finance Committee; if the faculty members are tied down by this motion they will not be able to participate in the larger decisions of resource allocation which the Finance Committee will make, and the Finance Committee will still present a budget to the Board of Trustees whether or not the faculty members vote for it. M. Tucker asked how could one have a budget without knowing how much will be required for compensation, i.e. before completing salary negotiations. M. Peck replied that the budget would still go forward even if the faculty members voted against it. H. Hackney pointed out that the motion only says that the faculty members will not agree to the budget if salary negotiations had not been completed, not that they would vote against it -- they could still abstain.

R. Wall urged the faculty to empower their representatives on the Finance Committee. M. Regan said that she did not feel at all paralyzed by the motion. R. Wall said that it might not be the case this year, but it could be the case in the future.

D. Greenberg noted that we have had a tradition, embodied in contracts in the past, that no decision would be made on tuition rates until after salary negotiations had been completed. The faculty feels that the administration made a commitment in this regard, and the present motion would reassert this point. He continued that the other members of the Finance Committee were not independent agents but when required would do the bidding of the President; far from limiting the effectiveness of the faculty members on the Finance Committee the present motion would empower them as representatives of the voice of the whole faculty. He failed to see how requiring the faculty representatives not to consent to a final budget until salary negotiations were successfully completed would prevent them
advocated “don’t open the door.”

Professor Salafia expressed his agreement with Professor Lang.

Professor Rosivach gave an historical review of the Handbook, and stated that the authors in the 1960s (before his time, so he is assuming intent) clearly set two different faculty - full-time and part-time.

Professor Thiel asked that if this is another class of faculty, why not conduct national searches for people to teach, do research, et al. The university would want the best people in those positions, which would erode the full-time faculty concept.

Professor Rosivach said that with a move from adjunct to full-time teacher the money for that position comes out of the limited pie - and of a full-time faculty position.

Professors Naser and Gill-Lopez both commented that the proposal is instituting the concept of wide use of adjuncts.

The motion was defeated unanimously.

There followed general discussion about seeing if the committee will continue to work to resolve the issues.

Professor Rosivach moved (seconded by Professor Gill-Lopez) that the Academic Council extend its thanks to the committee and hopes it is willing to go on with its task.

Professor Lang stated that he supports the motion.

Professor Naser said that he would like some resolution as to how many part-time positions there will be in the university.

The question was called; the motion passed unanimously.

AVP Grossman said that in the discussion there was a comment regarding the erosion of full-time positions. He said that is not the case, although more part-time faculty are being used generally to reduce class sizes.

b. Faculty participation on the finance/budget committee:

Professor Lane, regarding his concerns about the faculty participation on the university finance/budget committee, moved (seconded by Professor Naser) that those concerns (reported in Academic Council Minutes of meetings on October 29 and November 4, 1999, and in his letter and in an excerpt from General Faculty Minutes of November 13, 1992, attached to the agenda for the May 1, 2000, meeting) be presented to the Academic Affairs Committee of the Board of Trustees, with the request that they be forwarded to the full Board.

AVP Grossman stated that there were some inaccuracies in the comments about the structure and operation of the finance/budget committee.

Council Chairman Lakeland asked what the expectations were if the motion is approved. Professor Lane said that it then could be “added to the hopper” at any time.

Professor Rosivach moved (seconded by Professor Salafia) to table the motion. The motion to table passed with five for (Lane, Lang, Rosivich, Salafia, Thiel), one opposed (Naser), and three abstentions (Gil-Lopez, Martin, Wheeler).

Professor Rosivach moved (seconded by Professor Salafia) that the Academic Council request the current and past members of the finance/budget committee to provide their views regarding procedures for determining the charge of the committee.

The motion passed unanimously.
7. Old Business

The motion to establish a committee to deal with the issues of Distance Learning was moved by Professor Simon and seconded by J. Weiss.

O. Grossman said that we need experts and not critics. He said that distance learning was here to stay and if one changed the delivery system of an existing course, it should not be a major problem.

P. Greiner agreed with Grossman and he said that we need to support distance learning. Perhaps ETC could provide oversight.

J. Simon said that he supported distance learning and has used it. He said we need a committee to help start faculty on new web courses on issues like testing, security, appropriateness.

A. Martin said that we need a checklist for on-line courses.

E. Wilson said that we need to formalize a policy and that we need some kind of committee. We need more full time faculty involved and you must consider issues of copyright and firewalls for example.

T. Snyder said that we will have a Center for Academic Excellence. It could provide oversight. It will provide faculty with help.

O. Grossman said that Larry Miners will represent the faculty on Academic Excellence.

P. Greiner was concerned that an AC Committee would act in an ad hoc fashion.

M. Cavanaugh said that we should use Center for Academic Excellence as the place.

D. Keenan said that UCC has the right to talk about delivery of class issues. They have a right to ask questions and UCC is not a road block to distance learning.

W. Tellis said that departmental approval of a distance learning course should be enough.

J. Simon said that some members of a department might object to on-line courses because they involve a computer.

D. Keenan said that he was confident UCC could handle such problems.

A. Martin said we should be able to deal with these conflicts.

T. Snyder said the Center could ask does the on-line course deliver what it says it delivers.

V. Hadjimichael said that already approved courses can be delivered on-line. We do not need a small committee like the proposed committee.

J. Weiss said that he supports the committee’s right to have overview. Could students take all their courses on-line?

E. Wilson said that day students cannot take all evening classes on-line during the year. We need people with experience with the issue on the committee.

O. Grossman said that the new academic world is here. On-line summer courses make sense. We will have to think about this issue during the fall semester and spring semester classes.

M. Cavanaugh said that faculty just want more information and education on the issue.

We need a faculty introduction to this new world.

P. Salafia said that we have a proposal on the floor to set up such a committee.

O. Grossman said that the issue should go to Academic Excellence.

P. Salafia moved to table motion. There was no second.
W. Tellis said that we need such a committee to come back with proposals on the issue.
T. Snyder said that we should wait for the Academic Excellence Committee to be formed.
P. Greiner wondered what committee will have what responsibilities.
A. Katz said that we could have Larry Miners talk to AC in September.
J. Yarrington said that we need some advisory committee. We need to address this issue.
J. Weiss said that faculty committee process should be supported and not just an appointed director of Academic Excellence.
E. Wilson said that perhaps faculty development day in December should deal with distance learning issues.
N. Solomon said that the proposed committee does not have a charge or direction. It does not have a clear purpose.
P. Greiner calls question.
J. Orman seconded the motion.
Question is called 5 to 3.
On the issue of creating a subcommittee to look into distance learning.
Yes 2
No 8
The motion was defeated.

R. Salafia then moved the Academic Council Secretary ask the Chair of Educational Technology, the Chair of UCC and the Director of Academic Excellence to meet with Academic Council to discuss distance learning.
P. Greiner seconded motion.
The motion passed unanimously.

8. New Business

Katz and J. Simon moved and seconded.

(a) Given the Athletic Department’s policies of not scheduling athletic events to conflict with final exams, the Academic Vice President should, each semester inform the Academic Council of any approved exceptions to that policy during the previous semester.

J. Orman called the question.
D. Keenan seconded the call.
Question called.
Motion passed unanimously.

(b) A. Katz and J. Simon moved and seconded the motion.

"The Faculty Athletic Committee should include the Director of Recreation and a Representative from FUSA and SAAC. All three of these individuals
A semester senior in engineering takes 18 credits, and three of those courses are in the core? Don: "Yes." Bob: "How is that going?" Don: "OK. I have students doing 21 credits." Bob: I get my students to do core courses early; you don't want your graduation to hinge on passing a core course in your eighth semester. Don: We have 132 credits as a graduation requirement. If we're going to make changes, what would they be?

Dean Timothy Snyder asked why, for example, a philosophy elective would be plugged in during the third year? Why not put the general courses in later, and the specific earlier? Don Joy replied that students often move their core courses around. Dean Snyder asked whether arts should not be taken earlier. Often it looks as though it's tacked on. Dean Hadjimichael replied that there is nothing inhibiting a student from taking philosophy earlier. It is not cast in stone.

Joe Dennin asked about enrollments in the graduate courses. What kind of students currently enroll in the graduate courses. Answer: Lots of graduates in mechanical engineering come in. Some undergraduates are signing up for graduate programs, and they do quite well. Graduate numbers are significantly higher. With undergraduates we try to make sure there are 6-10 students in the course. Now we have about seven or eight in the freshman class.

Susan Rakowitz commented that any specific requirement in the curriculum (such as stating what year a student should take religious studies, and what year he/she should take history, etc.) ought to have a rationale. Why not simply let students take their core courses when they wish? Don Joy replied that he would be OK with that. However, this was the way Engineering was when he came into the school. Don said that Susan Rakowitz's request is reasonable. Don makes sure that the students get their World Diversity and U.S. Diversity requirements out of the way soon.

Bob Epstein asked whether there should not be a correction in the program list: what is listed as a core requirement in English is actually a core requirement in literature. Bob also asked about the Applied Ethics elective. Dean Vagos Hadjimichael specified that SOE does have an engineering ethics course, which Engineering students are encouraged to take. Bob asked: Ethics first, and Philosophy 150 later? Vagos: Yes, that's OK.

Chris Huntley noted (based on the UCC minutes) that Math 351 is offered in the fall. How is SOE going to get the Mathematics Department to offer it in the spring? Don Joy replied that SOE will change the course curriculum.

Irene Mulvey asked whether Engineering Ethics is required. Dean Hadjimichael replied that it is highly recommended. Joe Dennin asked whether this ethics course is taught by an engineer? Answer: no, it is taught by Lisa Newton.

**MOVED** (Lange/Lang) That the Academic Council approve this program.

Chair Dohm called for discussion.

Susan Rakowitz stated that she was surprised that the UCC took this up, given the thinness of the SOE Dean's Council minutes (Proposal Booklet pp. 33-34). Susan stated that she was uncomfortable with these minutes; they should be more substantial.

**MOTION PASSED:** 13-0-2

7. b. Information from Educational Technologies Committee on security and integrity of University maintained databases (see Agenda Packet, pp. 14-17).
Irene Mulvey presented the background to the Educational Technologies Committee information. Last spring the ETC, concerned over whether Curt Naser's database (Eidos, etc.) was subject to the same routine external audits for security to which all the CNS databases are subject, invited Curt to discuss Eidos and related computer systems with the ETC. The result of this discussion was a letter from ETC Chairman Stephen Sawin to AVP Grossman, in which Professor Sawin expressed the ETC's belief that Curt's database (Online Faculty Network) could benefit from the same "institutionalized support structure to maintain the long-term integrity of the data, together with the outside oversight maintained by Price-Waterhouse technical audit" that is currently given the databases maintained by SCT and C&NS. Sawin's memo continued:

We have two primary concerns. The first is that the importance of the data currently on the Online Faculty Network requires multiple people with the knowledge and skills necessary to maintain the whole system, all of whom have sufficient access to support and maintain it. If for whatever reason Professor Naser were unable to continue the support, maintenance, and improvement of the database and access system, the University needs to have a plan in place for how we will maintain continued access to and control over the important data in the system for the indefinite future.

Second, the benefit SCT and C&NS get from the extensive technical audit regularly done by Price-Waterhouse, which covers a host of data management issues, including backup, security, access, and support, convinced us that some form of external oversight, as detailed as is practical, is essential to any effort to maintaining the sort of sensitive and critical data accessible by the Online Faculty Network. The need for this is especially great when the system is flexible and rapidly changing, one of the key strengths of the Online Faculty Network. External oversight can bring to bear a large knowledge base, broad thinking, and access to best practices. We feel it is a key to maintaining security and data integrity. (Sawin to Grossman, 4/26/06: Agenda Packet p. 14)

AVP Grossman replied two days later (April 28), agreeing as to the importance of this issue. Seven months later, on November 27, the new ETC Chair Richard Regan wrote to General Faculty Secretary Irene Mulvey, as follows:

"Several faculty members have asked the Educational Technologies Committee to address issues of privacy and security attendant on the posting of personal data to Curt Naser's database . . .

. . . We feel that we have addressed the technological dimensions of the issue, and we recommend that any other concerns seem to be political rather than tech-related. As such, those faculty concerns should be addressed directly by the Academic Council." (Regan to Mulvey, 11/27/06: Agenda Packet p. 17).

After having presented this background, Irene Mulvey stated that the Executive Committee has chosen to put this ETC correspondence on the agenda for the Academic Council to discuss. Irene speculated that the ETC may be sending this to the AC to get more firm authorization.

Irene continued, reporting that the Executive Committee talked to the people at CNS. The Executive Committee found out that all CNS servers undergo routine security audits by a commercial firm, and that Curt Naser's server does also. However, Curt's applications are not audited; these are
what are used to collect, move, and store data. Another issue is that the server with Eidos (and Eidos works with Coldfusion), is not used by CNS in any of their work. Therefore, if Eidos is ever going to be integrated, there is a potential problem. If Curt ever goes on to other activities, or is unavailable, there will be a problem. The Eidos server runs on Windows, not UNIX (which the CNS programs do), making it possibly more susceptible to viruses and hacking.

Irene continued with other problems: ownership of data and accessibility. There is much sensitive data on Curt's server. We do not know who has access to it. There would not be such a problem if it were just a few things, but Curt's database is being used for more and more things, and many of these are sensitive.

Irene proposed that the Academic Council should authorize the ETC to look at these issues and draft language for a possible motion. The ETC should engage an outside consultant in order to remove personal considerations from a review and to make a review more objective.

Rick DeWitt commented that this may be perceived as an attack against Prof. Naser personally. Rick asserted the contrary. Curt Naser is a hardworking man, and this is not a personal attack upon him. The problem is with the set-up, which is inappropriate. You will not find any other institution that has it. If Curt gets hit by a bus, the information will be lost. I (Rick) have no idea what is accessible and what is stored on this database. Some of it is certainly confidential. The problem is definitely an academic one, and appropriate for the Academic Council to consider. It is such a morass, and so hard to deal with, that Irene's idea of bringing in an outside consultant is a good one.

Chris Huntley remarked, first, on the supportability issue; do you have the personnel? If Curt is ever unavailable, this would clearly be a problem. Secondly, if you are going to bring in Price Waterhouse, their first question will be "What are the specs?" So, it is not just the system; it is the data attached to the system.

George Lang commented that we have brought in consultants in the past, with successful results.

Irene presented a draft of a motion, and it was MOVED (Abbott/Steffen):

"That the Academic Council charges the Educational Technologies Committee, in collaboration with CNS, SCT and other appropriate University entities with (1) studying where external security audits of systems (servers and applications) concerning faculty data are currently applied and make recommendations for additional external security audits on all aspects of all systems concerning faculty information, where needed (2) study and make recommendations on long-term feasibility and integration of all current databases containing faculty data and (3) study and make recommendations concerning the need for appropriate policies regarding ownership, accessibility and confidentiality of faculty data on University-maintained servers; draft such policies, as needed.

In order to maintain appropriate objectivity, the ETC should consider engaging the services of an outside consultant in carrying out this charge.

Report back to Academic Council."

The Council proceeded to discuss the motion. Joe Dennin asked who owns this material, both the data and the programs? Irene Mulvey responded that this is indeed a reasonable question. Newsbreak reported that a course management system written by Curt is being used by a public school in Easton.
Susan Franzosa asked whether this is a question of intellectual property. Sometimes there is a division between academic and administrative computing. Irene responded that her concern is just with faculty data.

Bob Epstein asked whether there were specs for supportability, etc.

Chris Huntley asked: who owns it, if this is university intellectual property?

Joe Dennin asked, if someone were to break into the database over Easter Break and do something bad, who would be responsible? The ETC should look into this.

Joe stated further that he gets emails from Curt asking for information. Who determines how and what Curt can ask for? I (Joe) am concerned; who knows what is on this database? Who is determining what Curt is collecting? Curt himself? Someone else? We do our grades online, and this is OK, but I don't know that I would want that information on Curt's database. It seems ad hoc.

Dean Hadjimichael replied to Joe that some of Curt's material is for NEASC. AVP Orin Grossman stated that he was pretty sure that when Curt asks for syllabi and c.v.'s, it is for the self-study. Joe replied that a lot of the material on Curt's database originated before the self-study. Orin reiterated that he thinks the requests for syllabi are for the self study. Joe repeated his question: who authorizes Curt? Orin replied: In that case, the full Steering Committee.

MOVED (O'Neill/Dennin) That the motion be amended so that the words "consider engaging" on line 11 be replaced by "engage".

The Council proceeded to discuss this amendment. Susan Franzosa introduced a governance question: what are the powers of the Educational Technologies Committee? How would the decision move through the system? Answer: an ETC recommendation would go to the Academic Council, and the Council would decide where to send it.

Rick DeWitt opposed this amendment, although approving its intent. His reason for opposition is that, if we pass this amendment and the funding does not materialize, it would kill the main motion.

Marcie Patton expressed a desire to tone down the language.

Ed disagreed with Rick; the ETC would not be relieved of its responsibility to investigate and make a report.

Bill Abbott re-read the motion to amend.

Bob Epstein agreed with Rick in opposing the amendment; ETC needs to have flexibility in being able to report to the AC.

MOTION-TO-AMEND DEFEATED: 2-13-0

The Council resumed discussion of the main motion.

AVP Grossman quoted the statement by ETC Chair Richard Regan in his letter to the Academic Council of November 27, 2006: "We feel that we have addressed the technological dimensions of the issue, and we recommend that any other concerns seem to be political rather than tech-related. As such, those faculty concerns should be addressed directly by the Academic Council." (Regan to Mulvey, 11/27/06, Agenda Packet p. 17). Orin then quoted his own reply to Steve Sawin's letter of April 28, 2006 (Agenda Packet p. 15): "As more and more important information gets on this database
we need to deal with how we institutionalize the support for the software and the databases. Curt will be co-leading our self-study for NE accreditation next year and that should provide a planning umbrella to resolve this issue." (Grossman to Sawin, April 28, 2006, Agenda Packet p. 16) Orin stated that he was not aware of any attempt by the Academic Council to follow up on this, and there was no response by the AC to Richard Regan's statements. Orin concluded that a formal motion such as this one seems to jump over a lot of steps in the collaborative process. It does seem to be more of a political motion.

Rick disagreed with Orin's final statement, and Orin agreed that the motion is not personal, but held that it is political. Rick asked where in the minutes is this political notion? Rick commented on the strangeness of Richard Regan's recommendation: "we recommend that any other concerns seem to be political…" (Regan to Mulvey 11/27/06, Packet p. 17). This is a statement, not a recommendation. Rick stated that there is nothing in the motion that suggests anything political. In further reply to Orin, Rick asserted that, since it is Curt's database, to have Curt being the one dealing with the issue is not appropriate.

Dean Tim Snyder presented several points: (1) Because of the faculty unawareness of the data Curt is collecting, there is a need for transparency about what the database contains; (2) If the AVP wants to appoint a faculty member to a special task, that is permissible, and any data to which Orin has access could be shared with that person; (3) Safeguarding the material is a problem; we need backup. Tim added that he uses Curt's database to count sections in the College that use adjuncts and to look at grades (full-timers versus adjuncts), that the database had been helpful to the College's strategic goal of acquiring full-time faculty, and that some departments also look at grades via Curt's database.

George Lang: The transparency issue is not confined to Curt; there have been other occasions when we have needed to bring in outside consultants. The main issue here concerns a "shadow" computer center. What de-politicizes this motion is the provision to bring in the outside consultant. The last time we used an outside consultant he reported, I believe, directly to the president.

Ed spoke in favor of the motion, commenting that the ETC does not really have the expertise in this matter. An outside consultant is needed, and the Academic Council will benefit from this expertise; the Sawin letter emphasizes that. Ed quoted Sawin's statements: "External oversight can bring to bear a large knowledge base, broad thinking, and access to best practices. We feel it is a key to maintaining security and data integrity." (Sawin to Grossman, 4/26/06, Packet p. 15).

Kraig Steffen, a member of the Educational Technologies Committee, spoke in favor, commenting that ETC certainly felt that they did not have a charge for these broader issues, beyond the purely technological ones. These issues are major questions for the University.

Ingeborg Haug stated that the motion goes a long ways towards providing the transparency we seek, and recalled how upsetting it was two years ago, not knowing how the information was to be used, or what for.

Irene Mulvey credited Steve Sawin with the suggestion to bring in an outside consultant. She had had a long discussion with him on these issues.
AVP Orin Grossman stated that there will be an Office of Institutional Research at Fairfield, and Curt's entire system will migrate over there. Somebody else besides Curt will have to be trained in Coldfusion, and protocols will have to be established. Orin then expressed the hope that the Academic Council would address these issues with Senior Vice-President William Weitzer.

**MOTION PASSED: 13-0-1**

7. **c. New and newly enforced parking regulations affecting faculty**

George Lang introduced this issue, relating his own recent experience in getting a parking ticket in a lot in which, according to his understanding of the Parking Regulations, it was legal for him to park. He went to Security, who agreed with him that it must have been wrong for him to have gotten the ticket. Upon further investigation, George found that indeed it was not wrong, for while there had been no (or only minor) changes made in the Parking Regulations for 2005-06 and 2006-07, significant changes had been made between 2004-05 and 2005-06. Up to 2004-05, according to George, only north Bellarmine, one side of Dolan, and the six spaces between the library and Bannow were off-limits to faculty members. Since then, a large number of other spaces have been placed off-limits to faculty, including I-1, I-2, and I-3 ("Regulations" brochure), which are the spaces closest to the Library and Bannow, and also M-1, which is the lot next to the Prep. In addition, according to George, a memo came out in August describing the Alumni Hall lot (H-1) as student parking only; this has never been in the Regulations. If indeed these are student-parking-only, then the only lot adjacent to Bannow available to faculty will be F-3, and that lot has never been sufficient for all Bannow faculty. This has the greatest effect on the School of Nursing faculty and staff. In addition, the lot by the rugby field (M-2), has been designated for Prep only during school hours. George concluded that possibly 500 spaces have been reallocated. George has asked whether this issue is under the purview of the Vice President for Student Affairs. Did he desire these changes? They are certainly detrimental to the faculty.

Bob Epstein questioned George's math.

Chris Huntley asked why these parking changes are being made. The faculty have to park somewhere.

George stated that we need more spaces.

Tim Snyder reported that Bannow faculty have indicated that there is a problem.

Kraig Steffen noted the loss of I-1 and I-2.

Irene Mulvey reported that the Executive Committee had not been sure of how to handle this. We didn't understand: did the students need more spaces, and if so, does this mean that the faculty will have fewer? Why were the regulations changed?

**MOVED (Rakowitz/O'Neill): That the Academic Council calls on the administration to restore faculty access to all parking lots which were open to faculty in academic year 2004-2005.**
TO: Academic Council

FROM: Richard Regan, ETC Chair

DATE: November 16, 2007

Last spring the Academic Council asked the Educational Technologies Committee to look into the security of faculty data. We established a subcommittee consisting of Bill Abbott (Chair of FDEC), and two members of Ed Tech, Kraig Steffen (also a member of the Academic Council), and Richard Regan (Chair of Ed Tech). This group met with Billy Weitzer and James Estrada in June, and separated the issue into three parts: security, data processing and storage, and data access/ownership.

A security audit has been conducted this fall. A full report is expected soon. The next two areas have institutional process issues that need further definition and study. One familiar issue is the use of data gleaned from teaching evaluations, used for both Rank and Tenure and for merit pay. The FDEC upcoming proposals for new methods of teaching evaluation will offer new perspectives on this issue. It seems appropriate to create a study group to brainstorm and look for ways of reconciling different perspectives.

The ETC subcommittee propose the creation of a joint committee, consisting of 4 faculty appointed by the Academic Council and 3 administrators, that would represent a new approach to this area. This group would seek internal consensus on policies involving access to faculty data and the use of such data.
Academic Council
Minutes of Meeting
December 3, 2007

[Approved by the Academic Council on February 4, 2008.]

Faculty members present: Professors Irene Mulvey (Faculty Secretary), Don Greenberg (Chair), Marcie Patton (Executive Secretary), Mousumi Bhattacharya, Chris Huntley, Chris Bernhardt, Kathy Nantz, John Thiel, Jo Yarrington, Nancy Dallavalle, Johanna Garvey, Kraig Steffen, Nick Laopodis, Joe Dennin, Sara Brill, Tracey Robert.

Administrative members present: Deans Ray Poincelot, Norm Solomon, Edna Wilson, Susan Franzosa, AVP Orin Grossman

Regrets: Dean Jeanne Novotny, Professors Carole Pomarico and Rona Preli

Guests present: SVP Billy Weitzer, Professors Richard Regan, Jim Simon

Dr. Greenberg called the meeting to order at 3:31

1. Presidential courtesy:
None

2. Report from the Secretary of the General Faculty:
None

3. Report from Executive Secretary:

   a. Approval of minutes: Dr. Patton reported that she had received the minutes for the November 5th meeting by email only recently and they had not been distributed. We will approve them at our next meeting.

   b. Correspondence:
None

   c. Oral Reports:
None

4. Council Committee Reports:
None

5. Petitions for immediate hearing:
None

6. Old Business

   a. Request from Educational Technologies:
Dr. Regan gave a summary of the history of discussion and the main issues of concern, namely the processing of, access to and ownership of data. After a spirited discussion at the 2/5/2007 AC meeting, a committee was set up consisting of Drs. Reagan, Steffen and Abott which discussed the issues from 2/5/07 with SVP Billy Weitzer. Subsequently, they separated out the issue of
teaching evaluation data and are suggesting the formation of an ad hoc group to consider issues of access to and use of teaching evaluation data.

Dr. Weitzer elaborated: This is a multifaceted issue, but as it pertains to questions of access and ownership, this is a policy issue, especially as regards teaching evaluations; discussion would be non-binding and limited to discussion of teaching evaluations (who has access to them, for what purposes used, etc). Hence the proposal to form a discussion group.

Questions: Dr. Thiel: Good idea, but not sure why the recommendation is to AC; is council to appoint faculty members? This is not a sub-committee of AC, this is informal and ad hoc and thus outside of purview of council.

Regan: This is a reasonable statement description, this is not a sub committee of AC being proposed.

Dr. Patton: since this is dealing with questions about teaching evals., why isn’t it under purview of a subcommittee of faculty, the FDEC?

Regan: Because the point is to get faculty and admin talking in a new forum.

Patton: If it’s non-binding, what is different here?

Regan: No one is talking productively now about this issue, AC simply farmed it out to the Ed Tech Committee, didn’t like the initial response and now we are at a stalemate.

Dr. Nantz: The idea is terrific; I would like to see more of a charge and defined purpose/goal, would like for it to have more teeth.

Regan: Drafts 8, 7, 6 and 5 tried to propose structures and so the current proposal reflects the concerns raised in reactions to these drafts, so it is up to Council to make a motion to create a body and give the body whatever teeth you want it to have; this is the committee report we were able to produce.

Dr. Mulvey: Just to clarify; this is the first report back to the council after the Feb. 5 2007 motion. The jurisdiction question is good one and Regan responded by defining committee as ad hoc and informal.

Dr. Dennin: Good idea, but what does the group have power to do? If the policies are formulated, will the group be allowed to implement them?

Weitzer: We don’t know what the purview of the recommendations will be; they could belong to multiple entities.

Dennin: So the policies will be sent to appropriate parties?

Wietzer: yes

Patton: And report back to AC?

Regan: Kraig, yes?
Dr. Steffen: Yes; the purpose of the committee is to develop specific recommendations that would come back to AC with specific proposals for changes.

Greenberg: Why go outside the formal structure of our governance document? And since it does, what kind of precedent does it set; and if in fact the committee reports back to AC doesn’t AC have to give the committee its mandate?

Weitzer: I am the instigator and I would like to see this problem addressed rather than just bounced back and forth and I am not convinced the existing structure will lead to dealing with this. This is something new, but because it is non-binding it will not undermine AC.

Regen: And in fact this is not that different than what was done for NEASC.

**MOTION.** [Nantz, Steffen]: The AC requests the creation of a joint committee consisting of four faculty members appointed by the AC and three administrators that would study existing and potential policies involving access to faculty data and the use of such data. This group will study alternatives and make recommendations to appropriate parties as well as report back to AC by May 08.

Discussion:
Nantz: I am speaking in favor of the motion. It doesn’t go outside our governance structures because appropriate faculty members will be appointed who will have to work across committee chairs and report back to AC.

Greenberg turns Chair over to Patton to speak about motion.

Greenberg: I am opposed to the motion. The formation of the committee would turn what is a substantive problem of policy to a mechanical problem; we are delaying dealing with the real issue, namely, the substantive problem of who has access to faculty data.

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Thiel, speaking in favor of the motion: We have not been successful in dealing with these problems, for perhaps a host of reasons. From the faculty perspective the worry is about suggesting that the system of governance is not working, but that is not what is being suggested here. We have a problem that hasn’t been dealt with by existing structures, we have to risk something new.

Mulvey neither in favor nor against: we haven’t tried to address this particular problem yet (the problem of access to teaching evaluations) through existing governance structures so to characterize us as not having made progress is not accurate.

Steffen: in favor: The purpose of the motion as I see it is to give us an opportunity to clarify concerns, discuss different perspectives and then come forward with proposals so that we can move forward.
Dr. Yarrington: Is May a realistic deadline?

Nantz: I would defer to others for timetable (Reagan and Weitzer)

Regan: No earlier than May

Weitzer: Agrees, as these are difficult issues that will take time.

Dr. Bernhardt: Really, what are we trying to do with the teaching evaluations, improve our teaching or evaluate professors? The current form was meant to help with teaching but is being used to evaluate professors and this is the problem; this should just be sent back to the Faculty Development and Evaluation committee.

Nantz: The issue is broader than that of faculty evaluation; the security of all faculty data is at issue and the motion addresses all faculty data.

Huntley: Listing CV info is a good example. We had one situation in which a faculty member didn’t want their age to be made public; clearly the issue is beyond faculty evaluations.

Greenberg: I agree that if it is a narrow issue it belongs in the FDEC; if it is as broad as Nantz suggests why send it to an ad hoc committee?

Mulvey: Is it a narrow or broad issue? Dr. Mulvey requests the motion be reread. Dr. Nantz complies. The motion is broader than teaching evaluation data and addresses all faculty data.

Yarrington, speaking for motion: We are doing many holistic overviews, this is a great opportunity to continue this kind of investigation.

Weitzer: I like the motion, but the previous paragraph is all about teaching evaluations. I would not be opposed to the group doing more, but it is currently written with intent of addressing narrow question.

Nantz: The motion is not narrowly restricted to only teaching evaluation data.

MOTION, [Nantz/Greenberg] to call the question
MOTION FAILS.

Huntley: This is not just a matter of policy but also of process and this is difficult to work out in large committees. We need a smaller group to discuss how it will actually happen; but this smaller committee must understand it is engaged in discussion more than policy-making.

Dennin: The problem is that some people want faculty evaluation data only to go to faculty and others want it to be available to broader spectrum of people.

Regan: One central issue is that the de facto situation in Art and Sciences is such that people couldn’t be eligible for a raise unless they agree to submit evaluation info in the merit process.

MOTION TO AMEND, [Dennin/Bernhardt] to amend the motion to replace “faculty data” with “faculty teaching evaluation data”
Discussion of Motion to amend:
Bernhardt, speaking against the amendment: There are two issues here. The narrow issue belongs to FDEC, broader issue recommends against the motion: there is a lot of sensitive data out there.

Huntley, speaking against amended motion: Do we need two motions: one to FDEC and leave the larger issue to another committee?

Thiel, speaking against the amendment: There is a big set of interrelated problems here, and the group is supposed to brainstorm, so why try to restrict the scope? In principle, it’s a general issue; when people come back in May then we can address narrowing scope.

Nantz, speaking against amendment: The importance of interrelationship here can’t be ignored, we need to have the broader conversation.

Steffen, speaking against the amendment: We are here today because a significant set of questions was sent to the EdTech Committee, who realized they touched on too many areas to be addressed by one committee.

Dennin, speaking in favor of the amendment: The main problem still seems to be teacher evaluations; this is a chance for faculty and administration to work together on this issue.

Mulvey, speaking in favor of amendment: I drafted the amendment because I met with Billy and Richard twice and know that is what they had in mind in bringing this to the AC -- to look narrowly at teaching evaluation data and so I am surprised to hear from Dr. Steffen that broader issues were in mind.

Weitzer: We had only teaching evaluations in mind. If we go back to original proposal then we have to go back and think of who would be involved in this discussion; the amendment correctly reflects our original intent.

**MOTION TO AMEND FAILS**: 5 in favor, 8 opposed, 1 abstained (5-8-1).

Back to original motion:
Steffen: We don’t want to tie hands of the group; if there are connections that can be made without other parts, then the group should have ability to discuss and bring in those issues.

Nantz: still in favor of motion, agrees with Steffen and doesn’t think group needs to be reformulated; the group could come back with recommendation to appoint a larger committee.

Yarrington: Perhaps we need two phases? Begin with teaching evaluations and then open to broader concerns?

Weitzer: I would appreciate that people consider this comment. The formulation of the committee was really done with teaching evaluations in mind. There are a number of administrative concerns about ‘faculty data’ as such.

Nantz: I presume the people on committee will be sensitive to that, so am still in favor of the motion.
MOTION. The AC requests the creation of a joint committee consisting of four faculty members appointed by the AC and three administrators that would study existing and potential policies involving access to faculty data and the use of such data. This group will study alternatives and make recommendations to appropriate parties as well as report back to AC by May 08.
MOTION PASSED. (12-1-1)

Mulvey: Does AC want the executive committee to appoint faculty?

Thiel: Yes, the Executive committee should do it.

7. New Business
a. Proposal from the English Department for a Master of Fine Arts Degree in Creative Writing

Greenberg welcomes Jim Simon and opens the floor to him for introductory remarks.

Simon: To bring AC up to date: The idea grew out of idea of a suggestion by Dr. White as a way to build on successes in department, was focused to creative writing and an in-residency program was decided upon. Such a model is appropriate to the nature of the writing process and is consistent with a Jesuit teaching model. FU can become a national leader in these residency programs. In order to address the concern to safeguard undergraduate program, it was decided that, except for artistic director, any current faculty could only teach in it as an overload. The department voted unanimously to approve the program. A&SCC had ideas for improvement and a revised version was approved by A&SCC unanimously; six separate courses must be approved separately. EPC approved unanimously. The support is so strong so far because of the program’s relation to the Jesuit ideal of sustaining whole persons and it is consistent with von Arx desire to raise profile of arts on campus. Simon then opens the floor for questions.

Bernhardt: There is a typo on pgs. 102,112,122: residential course is 3 credits, should read 6. And the last residential course is taken for no credits?

Simon: Yes

Yarrington, speak in strong support: After a 3 year process, you have already answered a number of questions. This is a great collaborative effort and it follows the strategic plan. I have taught in similar programs for Vermont College and loved the experience.

Thiel: Great job. With respect to the numbers, we are confident that this will turn a modest profit or at least not cost the institution?

Simon: Defer to Grossman and Wilson

Grossman: We did a lot of financial and marketing modeling; all signs were positive.

Wilson: We already determined from alumni that there is a lot of interest; we anticipate being able to build these cohorts. In terms of revenue and expenses we will come out with needing 12,000 in the first year and will be able to fund positions in the second year and turn these over in the third year to tenure track positions. We have worked a lot on the numbers and see UC providing logistical support.
Faculty members present: Professors Irene Mulvey (Faculty Secretary), Don Greenberg (Chair), Marcie Patton (Executive Secretary), Mousumi Bhattacharya, Chris Huntley, Chris Bernhardt, Kathy Nantz, John Thiel, Jo Yarrington, Nancy Dallavalle, Johanna Garvey, Kraig Steffen, Nick Laopodis, Joe Dennin, Sara Brill, Tracey Robert.

Administrative members present: Deans Ray Poincelot, Norm Solomon, Edna Wilson, Susan Franzosa, AVP Orin Grossman

Regrets: Dean Jeanne Novotny, Professors Carole Pomarico and Rona Preli

Guests present: SVP Billy Weitzer, Professors Richard Regan, Jim Simon

Dr. Greenberg called the meeting to order at 3:31

1. Presidential courtesy:
None

2. Report from the Secretary of the General Faculty:
None

3. Report from Executive Secretary:
   a. Approval of minutes: Dr. Patton reported that she had received the minutes for the November 5th meeting by email only recently and they had not been distributed. We will approve them at our next meeting.

   b. Correspondence:
   None

   c. Oral Reports:
   None

4. Council Committee Reports:
None

5. Petitions for immediate hearing:
None

6. Old Business
   a. Request from Educational Technologies:
   Dr. Regan gave a summary of the history of discussion and the main issues of concern, namely the processing of, access to and ownership of data. After a spirited discussion at the 2/5/2007 AC meeting, a committee was set up consisting of Drs. Reagan, Steffen and Abott which discussed the issues from 2/5/07 with SVP Billy Weitzer. Subsequently, they separated out the issue of
teaching evaluation data and are suggesting the formation of an ad hoc group to consider issues of access to and use of teaching evaluation data.

Dr. Weitzer elaborated: This is a multifaceted issue, but as it pertains to questions of access and ownership, this is a policy issue, especially as regards teaching evaluations; discussion would be non-binding and limited to discussion of teaching evaluations (who has access to them, for what purposes used, etc). Hence the proposal to form a discussion group.

Questions: Dr. Thiel: Good idea, but not sure why the recommendation is to AC; is council to appoint faculty members? This is not a sub-committee of AC, this is informal and ad hoc and thus outside of purview of council.

Regan: This is a reasonable statement description, this is not a sub committee of AC being proposed.

Dr. Patton: since this is dealing with questions about teaching evals., why isn’t it under purview of a subcommittee of faculty, the FDEC?

Regan: Because the point is to get faculty and admin talking in a new forum.

Patton: If it’s non-binding, what is different here?

Regan: No one is talking productively now about this issue, AC simply farmed it out to the Ed Tech Committee, didn’t like the initial response and now we are at a stalemate.

Dr. Nantz: The idea is terrific; I would like to see more of a charge and defined purpose/goal, would like for it to have more teeth.

Regan: Drafts 8, 7, 6 and 5 tried to propose structures and so the current proposal reflects the concerns raised in reactions to these drafts, so it is up to Council to make a motion to create a body and give the body whatever teeth you want it to have; this is the committee report we were able to produce.

Dr. Mulvey: Just to clarify; this is the first report back to the council after the Feb. 5 2007 motion. The jurisdiction question is good one and Regan responded by defining committee as ad hoc and informal.

Dr. Dennin: Good idea, but what does the group have power to do? If the policies are formulated, will the group be allowed to implement them?

Weitzer: We don’t know what the purview of the recommendations will be; they could belong to multiple entities.

Dennin: So the policies will be sent to appropriate parties?

Wietzer: yes

Patton: And report back to AC?

Regan: Kraig, yes?
Dr. Steffen: Yes; the purpose of the committee is to develop specific recommendations that would come back to AC with specific proposals for changes.

Greenberg: Why go outside the formal structure of our governance document? And since it does, what kind of precedent does it set; and if in fact the committee reports back to AC doesn’t AC have to give the committee its mandate?

Weitzer: I am the instigator and I would like to see this problem addressed rather than just bounced back and forth and I am not convinced the existing structure will lead to dealing with this. This is something new, but because it is non-binding it will not undermine AC.

Regen: And in fact this is not that different than what was done for NEASC.

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to Fairfield's policy on academic honesty and be reflected in the undergraduate and graduate catalogues and the Student Handbook.

AVP Grossman said that this change would address the event that occurred last May. Preli explained that the language was changed in the catalogue over the summer. The motion would give the Council's approval for this change and would make the change consistent in graduate and undergraduate catalogues. DeWitt added that a change of this sort would ordinarily come from a faculty body working with administrators and come to the Council for approval before being published. In this case, the need for speed led to implementation prior to Council approval. Prof. Massey expressed concern about the precedent of implementing a change prior to Council approval. Nantz was uncomfortable about not having the language written out in front of us. Prof. Dallavalle agreed and suggested that without time pressure now, it might be better to circulate the language and consider it more carefully. Thiel agreed and noted that we might be able to come up with better language for the future.

**MOTION** [Nantz/Massey] to table the motion. **MOTION PASSED** unanimously.

**b. Faculty Data Committee report**

DeWitt explained that the committee was formed last year jointly by faculty chosen by the Council and administrators chosen by EVP Weitzer. The members are listed on the report in the packet. They had a limited time to meet, and the sense of the committee was that there wasn't enough time for specific recommendations on all possible items. Some items need follow up, some could be implemented straightforwardly, and some need more work. Weitzer noted that he wasn't on the committee, but could respond to the report.

Prof. Bernhardt asked whether the discussion of email would be expanded to consider things like the tracking of websites accessed and internet telephony. DeWitt said that he didn't think so, though some of those issues were touched on in the grade changing incident. Massey asked whether the ownership discussion had extended to course materials like syllabi, which are required to be publicly accessible by AACSB. DeWitt said that there was a lot of discussion, ultimately unresolved, about the ownership of teaching evaluations, but he didn't remember discussion of ownership of course materials. Dean Crabtree suggested that if the committee continues, it should take up Bernhardt's and Massey's issues proactively, rather than just reacting to hot button issues. Bernhardt then asked about profits and intellectual property, but DeWitt said that intellectual property was not considered to be "faculty data".

Weitzer noted that he liked the shared governance model exemplified by this committee. He said that a number of the committee's recommendations are for the administration, and the relevant faculty committees could be updated on their progress. Specifically, he was pleased to report that the social security number issue is being addressed, and the hope is to have a fix in place in November. Regarding recommendation 2, he would like to have HR develop an institution-wide policy to which nuanced pieces specifically relevant to faculty could be added. With regard to recommendation 3, there is an email policy and VP Estrada should present it and a response to Bernhardt's issues to the Educational Technologies Committee (ETC). As for recommendation 4, Sungard has a relevant policy, but the university doesn't. Estrada should work with the ETC to develop a policy. Similarly, the AVP and Deans should have policies regarding point 5, and should work with relevant faculty committees. He said
that recommendation 6 seems to be the right statement; it's standard procedure to protect anonymity when working with aggregate data. Finally, Weitzer suggested that we are at a decision point on issue 7. The status quo doesn't make anyone happy. He wondered whether now is the time to take on this issue, and, if so, whether it should be this committee or another.

Dean Hadjimichael pointed out that the report was good at identifying weaknesses or lack of policies, but didn't discuss how easily data are accessible by unauthorized personnel. Weitzer said that that was a separate issue that was not in the committee's charge. Prof. Miners noted that it was raised to some extent in the context of social security numbers. Bowen asked whether Estrada was scheduled to speak to the ETC on number 3. Weitzer said probably not yet. DeWitt said that there were 2 email issues- retention and privacy. There is policy/practice regarding retention, but is there something on privacy? Weitzer said the privacy issue was less clear. DeWitt said that his impression is that there aren't legal safeguards regarding the privacy of email. Presumably our privacy is not being violated, but we should have a policy. Weitzer agreed, noting that extreme circumstances could call for the violation of privacy, and we should have a policy defining such circumstances.

Preli then asked to clarify the next step. Weitzer said that progress is underway on recommendations 1 through 5 and perhaps he could make a summary report on that progress at the end of the year. Number 6 is reasonable, but the next step on 7 needs consideration. Miners said that the committee agreed unanimously on what they said in point 7, but could not agree on ownership. Weitzer acknowledged the agreement on the legitimate needs for the data and problems with manipulating the data. Nantz asked about the meaning of the phrase, "such data should be used only as intended". She expressed concern that the mention of the Rank and Tenure Committee in the last sentence implied a departure from current policy in which submission of teaching evaluations to Rank and Tenure is optional. DeWitt strongly stated and reiterated that the committee did not intend to change current policy; there is no requirement to turn over data to Rank and Tenure or for merit reviews. Weitzer concurred and pointed out that the final paragraph of the report should clarify the language that Nantz was worried about. Bowen expressed confusion about the parenthetical comment about "manipulating" evaluation data. It was explained that there seem to have been instances where data was manipulated to magnify very small (and presumably meaningless) differences.

Nantz then asked whether the committee wanted a motion or whether the committee was disbanded. Several committee members around the room quickly indicated that the committee was disbanded. DeWitt said that he thought the FDEC was close to recommending changes in the teaching evaluations. He therefore thought we should hold off on further consideration of the controversial ownership of evaluations question. Weitzer agreed that waiting made sense.

8. Adjournment

**MOTION** [Bernhardt/Boryczka] to adjourn. **MOTION PASSED** unanimously.

Meeting adjourned at 4:46 pm.

Respectfully submitted,  
Susan Rakowitz
Background and Miscellaneous Notes

The Faculty Data Committee was formed in January 2008, following work by the Educational Technologies Committee and following the Academic Council meeting of December 3, 2007, at which the following motion was passed:

The AC requests the creation of a joint committee consisting of four faculty members appointed by the AC and three administrators that would study existing and potential policies involving access to faculty data and the use of such data. This group will study alternatives and make recommendations to appropriate parties as well as report back to AC by May 08.

Senior Vice President Billy Weitzer invited the following people to be members of the committee: Paul Caster, Rick DeWitt, Dennis Hodgson, Mary Frances Malone, Larry Miners, Jeanne Novotny, and Ray Poincelot. Ann Stehney, as Director of Institutional Research, was asked to support the committee and attended all meetings, and provided valuable help. Administrative members of the committee were appointed by Billy Weitzer; faculty members were selected by the Academic Council.

Meeting dates were 2/8, 2/22, 3/14, 3/25, 4/4, and 4/18 (the 2/22 meeting had to be cancelled due to snow). Meetings lasted approximated 90 minutes each.

Early on, the committee reviewed existing policies in Fairfield documents (there are very few). The committee also sent a request to other schools asking if they had policies on such matters, and if so, what those policies were. (Typical responses: “No,” and “If you come up with something, please let us know.”)

The committee quickly discovered that there is a large amount of faculty data, of varying types, stored in various ways, in a variety of locations, all of which raise a large number of tricky questions. Given the complexity of the questions and the fairly narrow timeframe in which the committee operated, many of the recommendations below are likely to be broader than anticipated. The committee felt, though, that identifying the issues that still need to be addressed would be helpful.
General Comments

Given the breadth of the charge, the committee stratified faculty data into three areas and then attempted to narrow its primary focus of attention. The three areas are as follows:

I. HR data
   a. Employment record
   b. Salary and benefits
   c. Demographic information

II. Data related to an individual’s career
   a. Files in the Chair’s, Dean’s and AVP’s offices
   b. Merit reviews
   c. C.V.
   d. Email
   e. Data related to research

III. Course data
   a. Teaching evaluations
   b. Syllabus
   c. Grades
   d. Teaching load

Following are some notes on each of these categories of data:

HR Data

The committee generally found few issues related to the storage of salary and benefit information in the administrative database. One clear problem that seems to still exist is the availability of social security numbers on Banner (e.g., it appears that one can still find, on some Banner pages, social security numbers other than one’s own). The committee’s understanding is that this problem is being addressed and should be corrected soon.

Career Data

The committee could not find any institution-wide policies regarding career data (e.g., who has access to such data, privacy of email, etc.). The committee did not have time to formulate specific policies on matters involving career data, but the sense of the committee was that these issues should be addressed. Some general recommendations concerning these matters are given below.

Course Data

The use of course data, especially teaching evaluations, has been a sensitive issue at Fairfield. Regarding teaching evaluations, the guidelines for tenure and promotion, from the Journal of Record, state that “[t]he General Faculty has voted that the current teacher evaluations are for formative purposes. The Committee will accept those evaluations at the will of the candidate.” Aside from this (rather oblique) statement, there appears to be no institutional policy (e.g., in the Faculty Handbook or the Journal of Record) regarding who has access to teaching
evaluation data, or regarding to what purposes such data can appropriately be put. There likewise appears to be no institutional policies concerning other course data (e.g., grade distributions, enrollment numbers, etc.).

The committee recognizes that there are differences in types of course data. For example, some data (e.g., teaching evaluations, grade distributions) is more sensitive than others (e.g., course syllabi, enrollment caps for courses). Likewise, there is an important distinction between aggregate data (that is, data in a form in which it cannot be used to identify individual faculty members), and data on individual faculty members. The recommendations below reflect such distinctions.

**Recommendations**

As noted above, the operating time for the committee was relatively short. Thus, the committee did not have time to work through detailed recommendations for all issues. Although some of the recommendations below are reasonably specific, the committee recognizes that others are quite broad, some to the point of being more like checklist items that still need to be addressed. The committee felt that even for issues for which we did not have time to formulate specific recommendations, it would at least be useful to identify items that still need to be addressed.

1. Regarding the availability of social security numbers on Banner: As noted, this is presumably being addressed. Someone (VP James Estrada would seem a good choice) should verify that this data is no longer (or soon will no longer be) widely available.

2. Institution-wide policies should be formulated to cover questions such as who has access to career data, such as the files stored in Chairs’, Deans’, and AVP’s offices.

3. Issues involving email: An institution-wide policy should be formulated covering issues such as how email messages are stored and for how long; and who has access to email (e.g., at present there seems to be no policy covering privacy of email).

4. Issues concerning files stored on faculty computers and faculty data files stored on administrative computers: The committee could find no policy concerning access to files stored on faculty or administrative computers. An institution-wide policy should be formulated.

5. Issues concerning merit reviews: Different schools have different policies (some have no policies) on issues such as where merit reviews are stored, for how long, and who has access to them. The committee recommends that each school formulate a policy addressing such questions. (The committee recognizes that policies may vary from school to school, for example, depending on issues such as accreditation requirements.)

6. Concerning course data: The committee’s view is that aggregate data, which does not
identify individuals, has legitimate institutional use and should be available for such use (e.g., by the Office for Institutional Research). The committee recognizes the need of the institution to have access to raw data, but feels strongly that individuals’ anonymity should be protected.

7. The committee agrees that the institution has a legitimate need for access to individual faculty evaluation data for merit reviews, and tenure and promotion decisions. Such data should be used only as intended (for example, individual data should not be manipulated so as to tweak differences), and access to such data should be limited (for example, to Chairs, Deans, the AVP, and the Rank and Tenure Committee).

Unresolved Issues

The major unresolved issue concerned questions of ownership of faculty data, most importantly, course data, and in particular, teaching evaluations. In reviewing the minutes of the meetings (e.g., of the ETC and the AC) that led to the formation of this committee, the question of ownership seemed a key question. Thus a few words on this seem in order.

“Ownership” is a somewhat broad term. The term is sometimes used in the sense of speaking of where data physically resides (e.g., faculty files in the deans’ and AVP’s offices). Alternatively, the term is sometimes used in the sense of who has the right to permit or restrict access to certain data (e.g., one might argue that an individual faculty member is the owner of his or her teaching evaluation data, in the sense that only he or she has the right to give others access to that data). As another example, the University Registrar is responsible for entering and maintaining the quality of the student data that is stored on the Banner server. He is also the person authorized to grant access to other people, presumably on a need-to-know basis.

The committee is using the term in this latter sense. There was not a consensus on the committee on the question of ownership of course data (again, most notably the teaching evaluation data). Some on the committee were of the view that the individual faculty member should own such data; others were of the view that such data should be owned by the faculty member and the Chair, Dean, and AVP. Another possibility is that such data (in particular, teaching evaluation data) is best viewed as being owned by the student who produced the evaluation (since it is the students who produce the evaluations).

As noted, the committee did not come to a consensus on the question of ownership of course data. As indicated in the recommendations section above, there was consensus that such data has a legitimate use in merit reviews and tenure and promotion reviews. So, for example, the committee agreed that faculty should be expected to provide access to such data in order to qualify for merit, or tenure and promotion. But there was disagreement on whether, say, a Dean or AVP should have access to such data without the faculty member’s permission.
AVP Orin Grossman stated that there will be an Office of Institutional Research at Fairfield, and Curt's entire system will migrate over there. Somebody else besides Curt will have to be trained in Coldfusion, and protocols will have to be established. Orin then expressed the hope that the Academic Council would address these issues with Senior Vice-President William Weitzer.

**MOTION PASSED: 13-0-1**

7. c. New and newly enforced parking regulations affecting faculty

George Lang introduced this issue, relating his own recent experience in getting a parking ticket in a lot in which, according to his understanding of the Parking Regulations, it was legal for him to park. He went to Security, who agreed with him that it must have been wrong for him to have gotten the ticket. Upon further investigation, George found that indeed it was not wrong, for while there had been no (or only minor) changes made in the Parking Regulations for 2005-06 and 2006-07, significant changes had been made between 2004-05 and 2005-06. Up to 2004-05, according to George, only north Bellarmine, one side of Dolan, and the six spaces between the library and Bannow were off-limits to faculty members. Since then, a large number of other spaces have been placed off-limits to faculty, including I-1, I-2, and I-3 ("Regulations" brochure), which are the spaces closest to the Library and Bannow, and also M-1, which is the lot next to the Prep. In addition, according to George, a memo came out in August describing the Alumni Hall lot (H-1) as student parking only; this has never been in the Regulations. If indeed these are student-parking-only, then the only lot adjacent to Bannow available to faculty will be F-3, and that lot has never been sufficient for all Bannow faculty. This has the greatest effect on the School of Nursing faculty and staff. In addition, the lot by the rugby field (M-2), has been designated for Prep only during school hours. George concluded that possibly 500 spaces have been reallocated. George has asked whether this issue is under the purview of the Vice President for Student Affairs. Did he desire these changes? They are certainly detrimental to the faculty.

Bob Epstein questioned George's math.

Chris Huntley asked why these parking changes are being made. The faculty have to park somewhere.

George stated that we need more spaces.

Tim Snyder reported that Bannow faculty have indicated that there is a problem.

Kraig Steffen noted the loss of I-1 and I-2.

Irene Mulvey reported that the Executive Committee had not been sure of how to handle this. We didn't understand: did the students need more spaces, and if so, does this mean that the faculty will have fewer? Why were the regulations changed?

**MOVED (Rakowitz/O'Neill): That the Academic Council calls on the administration to restore faculty access to all parking lots which were open to faculty in academic year 2004-2005.**
The Council proceeded to discuss the motion. Orin Grossman stated that he was not sure that steamrolling this motion through is a good idea, and asked how many spaces have been ADDED? George Lang replied that he did not know. Orin stated that he knew of some that had been added, and noted that M-2 is certainly not listed. George replied that the signage is there. George stated also that I-2 (next to Bannow and the Library) is certainly an issue; new spaces are next to the Kelley building, but you have to walk over from there to Bannow. Orin reiterated: there have been new spaces added, and this should be noted in order to put this motion into perspective. On M-2 I'm not sure; it may be restricted to the Prep students during school hours.

Jean Lange commented that she has had occasions when she could not find a spot, and on these occasions, when she asked Security if she could park anywhere, they said no.

Tim Snyder reiterated that we should not steamroll this motion.

Orin Grossman suggested that a committee be formed, to find out where the best places for faculty would be, and also to find out why the Regulations were changed. Orin reminded the Council that the number of faculty has increased.

Irene Mulvey has been told that the parking near Bannow was put in because of student apartments.

George Lang stated that his real interest is to get the parking spaces back; the faculty need to be able to park near their offices and buildings.

Tim Snyder asked whether anyone informed Orin about these changes.

Orin Grossman stated that any motion on this issue should note that more spaces have been added, and that we should not just say "500 spaces missing". Maybe they are not the right spaces, but more have been added.

George Lang noted that the motion does not say "500 spaces". We are not interested in why we lost spaces; we just want to get those faculty spaces back.

Jean Lange asked whether there is any plan on which all of this is based. We do not have enough information right now.

MOVED (Sapp/Lang) that this motion be postponed to the next meeting and placed under Old Business.
MOTION PASSED 12-1-0.

MOVED (Epstein/Rakowitz) that the meeting be adjourned.
MOTION PASSED 13-0-0.

The meeting was adjourned at 5:05 p.m.

Respectfully submitted,
Bill Abbott

[Approved by the Academic Council on March 5, 2007.]
a. Parking: The discussion on the motion from Feb. 5th was continued.

**Moved:** the Academic Council calls on the administration to restore faculty access to all parking lots which were open to faculty in academic year 2004-2005.

Lang pointed out that there are 2 kinds of lots - those that are convenient for faculty and those that are not. The faculty should not be restricted from those that are convenient.

Rakowitz observed that the faculty did not necessarily want exclusive access to the lot behind the library (as it had been) but just access to it.

**Motion Passed: 12-0-1**

Lang: The parking regulations state that there is an agreement between the university and the town that faculty will not park on nearby roads. What is the authority for this rule? Who enforces it - the town or the university?

Abbott: Several years ago, I was parking on a street over there (he points) when a Fairfield officer told him he could not park there and the officer would call university security. When Abbott contacted security, they said they never heard of the rule.

Grossman: After giving a brief history of the rule, said he had no idea if it was ever enforced. Bill Lucas would be a person to discuss it with.

Lang: will follow up on it.

Wilson: other areas tend to put up signs saying for residents only.

Grossman: that was suggested but residents did not want it; it seems the rule is unenforceable.

**New Business.**

a. Committee on Conference with the Board of Trustees.

There were only 2 items the Council wanted the committee to bring to the trustees.
R. DeWitt asked if Paul had the agreement on wording with Pellegrino in some sort of written communication. Paul noted that he had the wording available in various emails. Any members of the academic sub committee could check to see to what degree he’s accepted our recommendations.

Mulvey asked if the Council should set something up to do that? Paul stated that that would be a mechanism to get it done, but his opinion was that this would be counterproductive. Pellegrino’s going to do what he chooses to do at this point. The only issue where there might be any movement might be the mediation dispute, but that is a longer time period. But if the Council wants to do this, it could set up a subcommittee to look at the next edition of the handbook.

Rick argued that it would be better to leave it informal, on our list of things to do. He then thanked Paul, Joy, and Lucy. This took a lot of work, and the subcommittee members deserve our thanks.

6. Old Business.

a. Follow-up to new and newly enforced parking regulations affecting faculty

G. Lang asked if the motion from the previous Council meeting had been sent. Mulvey said that it would not be sent until we have today’s discussion. Then it can go to Mark Reed, Orin, and Billy.

G. Lang: Followed up on the side point—which was parking in the neighboring streets. Some people think in the past some of the lots were to be used exclusively by faculty, but I’m not sure this is true. In terms of whether faculty can park on neighborhood streets, we got a partial answer. The University made this agreement with the neighborhood in order to move forward with the Barone Campus Center addition. As for enforcement, there was a requirement that the parking situation be agreeable to College Park neighbors. It wasn’t clear as to whether this applies to other neighboring roads or just the College Park area. Not clear what happens to University employees who park on these streets. If there’s more interest I’ll follow up further.

K. Steffen: Is it clear which roads are off limits?

G. Lang: The agreement appears to pertain primarily to the College Park community—no one tried refining it any further than that.

Kraig: But “neighborhood” is undefined.

Lang: Yes. Dill is clearly residential. When the Bannow parking team gets together to see if we can reclaim a parking lot, we’ll see if we can get more detail.
I. Haug noted that this issue does not appear to be urgent; Lang responded that faculty in Nursing and Bannow might disagree with that. Mulvey suggested that the Executive Committee send the motion to the administrators, incorporating discussion about what Lang was talking about; Lang suggested that we keep the motion as is.


a. Report from the Committee on Conference with the Board of Trustees

Mulvey noted that M. Patton is not here, but that Executive Committee had addressed this issue, so she could talk about it.

Mulvey: The two amendments that we sent to the Board were approved, and they will be printed up. The fact that the restructuring proposal we made was not implemented is being blamed on a lack of communication. The Academic Affairs Subcommittee is fine with the implementation proposal, but did not take it to the whole Board. This was not a glitch in the proposal, but a miscommunication; it never got to the full Board. We assumed it would go to the full board before, but now it’s back on track. That’s the report.

b. Handbook change from the Admissions and Scholarships Committee

Mulvey noted that D. Gudelunas was not available to make this report yet.

c. Policy statement for the Journal of Record from the Committee on Committees

Mulvey stated that when a call for volunteers on committees goes out, often Visiting Professors indicate interest. When that happens, she sends an e-mail explaining that if the term of the committee is longer than their appointment, they cannot serve on the committee. But we don’t have language that says that these committee appointments are for non-Visiting faculty only. We should explicitly state for the Journal of Record who’s eligible to serve on committees. Also, it’s not appropriate for administrators with faculty positions to serve on elected committee positions. There is one person who is an administrator with faculty status who serves in an elected position on a committee.

S. Franzosa: Is this person the only one?

Mulvey: There are 19 administrators with faculty status.

Franzosa: This has only happened once?

Mulvey: Yes, as far as I know
As the Academic Council Executive Secretary, one of my duties is to send motions passed by the Council to appropriate administrators. I believe you would be the appropriate administrator regarding a motion passed by the Council this spring, concerning recent changes to faculty parking. The motion is below, as well as relevant portions of minutes from meetings at which the issue was discussed. If you have any questions regarding this motion, of course don’t hesitate to contact me.

Regards,
Rick

[Motion from Academic Council meeting of 2/5/07]
Moved: the Academic Council calls on the administration to restore faculty access to all parking lots which were open to faculty in academic year 2004-2005.
Subject: RE: Academic Council motion regarding faculty parking  
Date: Thursday, June 21, 2007 5:42 PM  
From: Reed, Mark <mcreed@mail.fairfield.edu>  
To: <wrdewitt@snet.net>  
Cc: "Weitzer, William" <wweitzer@mail.fairfield.edu>, "Grossman, Orin" <OLGrossman@mail.fairfield.edu>, "Mulvey, Irene" <Mulvey@mail.fairfield.edu>, "Dohm, Faith-Anne" <FDohm@mail.fairfield.edu>, "Dewitt, Richard" <RDewitt@mail.fairfield.edu>  
Conversation: Academic Council motion regarding faculty parking

Rick,

I received your note and the Academic Council’s motion. I will review it thoroughly when I have a chance. I did scan it and there was one thing I noticed in the first part that I can answer. In the paragraph labeled "7. c.", there is a reference to a question about whether I desired, and perhaps directed or approved changes in parking lot assignments. I became Vice President, with Public Safety reporting to me, in January, 2006. I have not been asked, nor have I initiated changes, in parking lot assignments during my tenure as Vice President. While I do not know for certain, I never heard Bill Schimpf discuss or raise concerns about parking lot assignments during my tenure as Dean of Students. The only request I made as Dean regarding parking lot assignments was to enforce the parking assignments at the Dolan School of Business and ticket resident students who were driving and parking there.

Once I have had a chance to review the motions thoroughly, I'll offer a response as appropriate. I just returned to the office from a series of meetings off-campus.

Mark

Mark C. Reed  
VP, Administrative Services & Student Affairs  
Fairfield University  
203-254-4000, ext. 2244
Subject: RE: Academic Council motion regarding faculty parking
Date: Wednesday, July 11, 2007 8:43 PM
From: Reed, Mark <mcreed@mail.fairfield.edu>
To: <wdewitt@snet.net>
Cc: "Weitzer, William" <wwweitzer@mail.fairfield.edu>, "Grossman, Orin"
<OLGrossman@mail.fairfield.edu>, "Mulvey, Irene" <Mulvey@mail.fairfield.edu>, "Dohm,
Faith-Anne" <FDohm@mail.fairfield.edu>, "Dewitt, Richard" <RDewitt@mail.fairfield.edu>

Conversation: Academic Council motion regarding faculty parking

Rick,

I have had ample time to review the Academic Council's motion, and I offer the following
response.

The parking regulations on campus have been modified over the past few years in response to
observable challenges in handling the volume of cars that seek to park on campus, especially near
academic and administrative buildings in the middle of the campus and lots adjacent to student
residences. There has not been a goal to privilege any one group of individuals over another, nor
has there been a goal to provide uniform access to parking adjacent to the building or locations of
a person's choice. The main goal has been to balance the needs and demand for parking to the
best extent possible given our historical practices and practical constraints.

I appreciate the issues articulated in the notes supporting the Academic Council's motion. By
way of information, I want to share with you that the University will be engaged over the next
several months in a comprehensive parking study to support our developing landscaping and
pathways plans and eventually our next campus master plan. Such a parking study will consider
not only the location and availability of parking lots and spaces but also the assignments and
administration of parking on campus. In addition, the Office of the Vice President for Finance
and Administration is in the process of completing an internal operational review of parking
services on campus. This review includes the processing of vehicle registrations and parking
fines.

In light of the ongoing work I have articulated, I believe it would be premature to make any
changes to our existing parking regulations. However, in the meantime, I have asked the
Department of Public Safety to limit ticketing of vehicles displaying valid faculty/staff
registration stickers that are parked in the lots in question. We do ask faculty and staff to avoid
the these lots to the extent that they can, and Public Safety officers may individually ask faculty
or staff for assistance in this regard and offer alternative suggestions for other lots which may be
in close proximity.

If you or the council have additional questions or concerns, please let me know.

Sincerely,

Mark

Mark C. Reed
VP, Administrative Services & Student Affairs
Fairfield University
203-254-4000, ext. 2244
c. Issues related to parking on campus.

Dr. Patton said that she had contacted SVP Weitzer about faculty representation in the study of parking on campus to take place this year. She said that SVP Weitzer was in favor, and has asked the Executive Committee to work with him to facilitate faculty involvement.

Dr. Nantz felt that speed was of the essence. She hoped that FWC would be involved.

Dr. Mulvey informed the Council that SVP Weitzer would be meeting with the Executive Committee and this would be one of the topics of discussion. She also said that she had been in contact with VP Reed and that he had approved a message from her to the faculty in which he clarifies the position of ticketing faculty cars; specifically that cars with a valid Faculty/Staff sticker parked in an approved space in lots I1, I2 and I3. would not be ticketed.

Prof. Nantz expressed concern about faculty members who had paid tickets this year for parking in these lots. Prof. Mulvey agreed this was important and said she would communicate with VP Reed on this before sending the clarification to the faculty.

d. Incorrect language on Academic Grievance policy on Student Handbook.

Dr. Mulvey outlined the long history of different wordings of this policy appearing in different official documents. She pointed out that this was a specific example of a wider problem. The problem is that people editing documents make editorial changes in official policies, but these changes alter the meaning of the policy and so constitute changes to official policies without due process.

There was some discussion of which document should be considered the binding contract for students, but everyone seemed to agree that the wording should be consistent across documents. Dr. Thiel said that policies in the Journal of Record are the official policies approved by
TO: All members of the General Faculty  
FROM: Irene Mulvey, Secretary of the General Faculty  
DATE: October 1, 2007  
RE: Parking

The Academic Council has been in contact with Vice President Mark Reed about parking on campus for 2007-2008 and this email is to inform all members of the General Faculty of these discussions.

Faculty are strongly encouraged not to park in lots I1, I2 and I3 which are needed for residential student parking for Kostka Hall, Claver Hall and the Apartment Complex. Public Safety Officers will be doing community policing to encourage faculty not to park in these lots and to offer suggestions for other lots which faculty may find convenient. However, VP Reed has instructed Public Safety that vehicles parked in designated spots in these lots with a valid Faculty/Staff registration sticker should not be ticketed. Cars parked in non-designated spots (fire lanes, walkways, etc.) are subject to ticketing and may be towed. Faculty who have tickets for parking in these locations this year should send them to Mr. Todd Pelazza in Public Safety to be voided. Faculty who paid tickets for parking in these locations this year should contact Mr. Pelazza for a refund.

CC: VP Mark Reed

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From: "Weitzer, William" <wweitzer@mail.fairfield.edu>  
Date: Fri, 7 Dec 2007 09:06:26 -0500  
To: "Patton, Marcie" <MPatton@mail.fairfield.edu>  
Cc: "Reed, Mark" <mcreed@mail.fairfield.edu>, "Mulvey, Irene" <Mulvey@mail.fairfield.edu>  
Conversation: Parking Study  
Subject: Parking Study

Marcie –  
Mark Reed and I have selected a firm to conduct the parking study that we spoke of earlier this year. Mark will be putting together a small group to oversee the study. He would like a faculty member to join that group. In addition, the group will be working with the firm to insure that members of the community have chances to express their views on parking. Please contact Mark concerning the next steps in this process.

All the best,  
Billy

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From: Marcie Patton <mpatton309@sbcglobal.net>  
Date: Fri, 21 Dec 2007 13:18:04 -0800 (PST)  
To: "Reed, Mark" <mcreed@mail.fairfield.edu>, William Weitzer <wweitzer@mail.fairfield.edu>  
Subject: Re: FW: Parking Study

Hello Mark and Billy,  
The Executive Committee of the Academic Council invited 2 faculty members who agreed to join your group. They are: Paul Caster (pcaster@mail.fairfield.edu) and Jean Lange (jlange@mail.fairfield.edu). We look forward to an update from you as things proceed.

All the best,  
Marcie