ACADEMIC COUNCIL
Minutes of Meeting
March 26, 2012
CNS 200
3:30-5:00 p.m.

Present: Professors Steven Bayne, Jocelyn Boryczka, Joe Dennin, Dennis Keenan, Phil Lane, Irene Mulvey (General Faculty Secretary), Kathy Nantz, Elizabeth Petrino, Rona Preli (Chair), Susan Rakowitz (Executive Secretary), David Sapp, Joyce Shea, Debra Strauss, Cheryl Tromley, Vishnu Vinekar, Brian Walker, David Zera

Administrators: SVPAA Paul Fitzgerald, S.J., Deans Don Gibson, Jack Beal, Robbin Crabtree

Invited Visitors: Professors Chris Bernhardt, Betsy Bowen, Wendy Kohli, Paula Gill Lopez

Regrets: Dean Suzanne Campbell

Absent: Dean Susan Franzosa, Professor Don Greenberg

Meeting was called to order at 3:33 p.m. Chair Preli announced that the emergency meeting would follow the regular agenda. The present meeting would continue a previous discussion with the Committee on Conference with the Board of Trustees in preparation for their upcoming meeting on March 29, 2012 with the Board of Trustees.

1. Presidential Courtesy.
SVPAA Fitzgerald reported that he planned to meet with the Faculty Salary Committee and provide some language that would refer to the administration’s commitment to maintain the 95th percentile in faculty compensation in its proposal.

He reported on the current figures for the undergraduate admissions process. Among the roughly 9200 applications received for undergraduates to date, approximately 70% were accepted in the College, DSB and Engineering, and 40% in the School of Nursing. He also noted that there is an Open House planned to welcome prospective students and their parents on April 1.

Chair Preli asked if there were any questions for SVPAA Fitzgerald.

Professor Bernhardt asked if the administration would maintain its commitment to 95th percentile for faculty compensation. SVPAA Fitzgerald responded that he was cautiously optimistic it would be maintained.

Professor Mulvey asked if SVPAA Fitzgerald could provide any reassurance that the administration would continue its commitment in this regard. SVPAA Fitzgerald responded that the language had yet to be determined regarding how this commitment would be phrased.

2. Report from the Secretary of the General Faculty.
Professor Mulvey circulated copies of the recent Faculty Welfare Committee Newsletter that discussed “cuts in benefits” and the prospect of “abandoning our eighteen-year agreement to maintain compensation at the AAUP’s 95th percentile” (Faculty Welfare Committee/AAUP Newsletter [March 23, 2012], p. 1). In light of recent developments, she proposed reordering the agenda to take up the important business of advising the Committee on Conference.
MOTION [Mulvey/Nantz]: To reorder the agenda and dispense with the other business of the meeting to re-open discussion with the Committee on Conference with the Board of Trustees regarding their upcoming meeting on March 29, 2012 with the Board.

MOTION PASSED: 16 in favor, 0 opposed, 0 abstentions.

3. New Business: Discussion with the Committee on Conference with the Board of Trustees

Professor Dennin gave a brief update on the current status of the Salary Committee’s discussions with the administration. He noted that the administration had brought forth a proposal to provide a 1% raise in salary, but he explained this increase is accompanied by a proposed 2% deduction in retirement benefits. There is also a proposed rise in the individual faculty contribution to health insurance as well as in the co-payment. Finally, the administration proposed to reduce the amount of life insurance provided to faculty members and proposed removing the 95th percentile from the Memo of Understanding (MOU).

Professor Dennin explained that a subset of the Salary Committee and members of the AC Executive Committee met with President von Arx in an unproductive meeting. He noted, however, that the President mentioned working on an improved proposal that would be forthcoming to the general faculty. Professor Dennin noted that the Salary Committee would propose another plan to the administration that would tie the MOU to the 95th percentile and include additional funds to cover costs for the proposed budget year. He summed up his position that faculty should maintain “a polite but aggressive stance” with the administration and encourage their honoring a commitment to maintaining the 95th percentile.

Professor Kohli asked for clarification regarding the reasons the administration was hesitant to continue maintaining its commitment the 95th percentile.

Professor Dennin explained that the administration’s claim that it doesn’t want to make agreements that will then be impacted by later budgetary restrictions the following year. In twenty years, to his knowledge, this has happened once. Historically, such problems have been extremely rare.

Professor Gill-Lopez asked if the proposed change to the 95th percentile is intended to be temporary or permanent.

Professor Dennin responded that it the proposal is to make it permanent, although some commitment to maintaining other fiscal responsibilities would probably continue.

Professor Bernhardt asked if there was a plan to meet this year’s commitment to the 95th percentile in next year’s compensation.

Professor Dennin explained that the Salary Committee had suggested to tie next year’s compensation to this year’s MOU. He noted that there are ways to add income based on the current proposed changes, but he added that the Committee is looking for a way to tie the compensation package to a measurable number that involves the 95th percentile. One problem has been that the changes to compensation have come too quickly for the Salary Committee to make a unified proposal.

Professor Bernhardt asked if there is a clear approach to take were we to request the same or better terms.
In order to prepare for its upcoming meeting with the Board of Trustees, Professor Bowen noted that the Committee on Conference had three questions: How much does the Board of Trustees already know about the faculty compensation issue? How much would the Academic Council suggest discussing the issue with the Board? Does the Academic Council recommend using (or not using) the liaisons of other committees that present to the Board of Trustees to discuss this issue? Members of other faculty committees may be more or less helpful regarding discussing compensation.

SVPAA Fitzgerald responded that the Board would probably not be current with these issues.

Professor Nantz reflected that the Board would pass a budget that has numbers regarding compensation and other issues. She questioned how they could not know about the impact of the budget.

SVPAA Fitzgerald noted that the Board will vote on the budget, but he pointed out that the numbers regarding final compensation can be adjusted in June, while tuition rates are determined now.

Professor Mulvey explained that the Board may not be aware of decisions that the Salary Committee only heard last Tuesday afternoon. She noted that the 95th percentile is the Board’s commitment, since the MOU mentions the university administration and the Board.

Professor Lane explained that, if one looks at compensation by rank and CPI, we are poorer than we were years ago. The general faculty gave up COLA in order to have an outside standard to which to hold our salaries. Originally, the standard was held to salary rather than compensation. Stepping away from 95th percentile is a slippery slope. He suggested that the faculty go back to a multi-year contract.

Professor Dennin explained that the importance of the commitment to 95th percentile lies both in its historical role and its impact on faculty and their discussions with the administration. We are in a better position with administration, and we need to keep the tension down.

Professor Bowen asked if he meant we are in a better position than we have been historically.

Professor Dennin responded that we have been willing to do things as a faculty, such as remove items from Handbook, because the 95th percentile has protected us.

Professor Nantz explained that it is important for Board to understand the definition of 95th percentile. This figure does not refer to a percentage of all university professors’ salaries but to those at universities in our cohort of similar institutions (Carnegie IIA). She noted that the Committee on Conference is required in a small amount of time to convey the importance of this commitment historically and its future as to what we hope to maintain.

Professor Bowen asked if it is accurate to say we are at the 95th percentile of many schools but that many do not reside in such expensive parts of the country.

Professor Preli asked if the Academic Council believed we wish to share such specific information with the Board of Trustees.

Professor Nantz responded that she would like to encourage the Committee on Conference to stress the issue of trust. Many experts have discussed the importance of rebuilding trust on both sides of negotiation in order to move forward. She noted that she felt disappointed and naïve about removing benefits from the Handbook three years ago in thinking that there was an attempt to move forward together.
Professor Gill-Lopez recalled that when the *US News and World Report* came out, the 95th percentile was part of our ranking.

SVPAA Fitzgerald noted that salary of the faculty formed part of the ranking.

Professor Mulvey explained that the Academic Council needs to decide how we should proceed with the Board of Trustees. She would like to stress that the 95th percentile is an ongoing contractual commitment – it is in the MOU, and the contract letters mention that the MOU continues until superseded by a new MOU. With no new MOU, salary is set by the Board, the terms of faculty compensation are as stated in the current MOU.

Professor Keenan offered that we have to find a way for the Academic Council to express the idea of its commitment to the 95th percentile to the Committee on Conference.

**Motion [Keenan/Dennin]:** The Academic Council charges the Committee on Conference with the Board of Trustees to communicate to the Trustees the importance of the 95th percentile for the following reasons. The 95th percentile

- serves as a Contractual commitment that cannot be unilaterally changed
- is the long-standing basis of negotiations between faculty members and administrators
- represents the importance of cohesion and partnership that this commitment promises
- attracts and retains new faculty
- Our negotiations as a faculty have been predicated on a trust that the administration is committed to upholding the 95th percentile
- The 2009 decisions regarding benefits and compensation were approved by the faculty because they believed the administration held an ongoing commitment to the 95th percentile. In addition, the 2007 NEASC Report highlighted relations between the administration and faculty as a major concern. If the commitment by the administration to the 95th percentile changes, this decision will threaten the progress that has been made in this area, and the five-year NEASC report that is under preparation will need to reflect accurately the current state of affairs.

Professor Tromley explained her concern that we are in a critical and turbulent time in a business organization’s life. She asserted that the faculty and administration need to work together and to survive by “rowing the boat in the same direction.” The Board of Trustees need to be put into the position of recognizing our need to work together for our survival.

Chair Preli added that Professor Dennin mentioned the importance of having cohesion between the faculty and administration.

Professor Kohli noted that trust and solidarity are cornerstones fundamental to any discussion of faculty compensation.

Professor Sapp noted that we are in the process of submitting the NEASC report and that Exec. VP Weitzer has also emphasized the importance of trust. He asserted that the report must reflect the current state of affairs regarding faculty and administration relations in order to be accurate.

Professor Bernhardt offered that the high cost of living should be reflected in our negotiations.

Professor Rakowitz added that we should have a Plan A and Plan B in case the Board of Trustees is not responsive to the commitment to the 95th percentile. She asked whether or not we wish to raise such issues as compensation with the Board.
Professor Lane considered the discussion of changing the 95\textsuperscript{th} percentile unacceptable.

Professor Mulvey asserted that she would like to have the Committee on Conference bring copies of FWC newsletter to their meeting with the Board of Trustees in order to represent the position of the faculty. She spoke in favor of the motion on the floor and made a motion to call the question, which passed.

**Motion Passed**: 16 in favor, 0 opposed, 1 abstention.

Several additional motions were made.

**Motion** [Mulvey/Shea]: To ask the Committee on Conference to bring copies of the FWC Newsletter to their meeting with the Board of Trustees.

**Motion Passed**: 16 in favor, 0 opposed, 1 abstention.

**Motion** [Mulvey/Walker]: To authorize the Committee on Conference to keep in contact with the Faculty Salary Committee and to alter their presentation to the trustees as needed to keep up with rapidly changing events.

**Motion Passed**: 16 in favor, 0 opposed, 0 abstentions.

**Motion** [Sapp/Keenan]: To ask the faculty members working on the governance part of NEASC report to discuss the NEASC Report currently in preparation and to report back to the Academic Council.

**Motion Passed**: 16 in favor, 0 opposed, 0 abstentions.

Professor Kohli noted that she supports the bullet points expressed in the motion regarding the commitment to the 95\textsuperscript{th} percentile.

Speaking on behalf of the Committee on Conference, Professor Bowen noted that she appreciated the Academic Council’s work in providing a set of parameters concerning points that should be raised and others that should not. She remains hopeful that there will be more discussion and that the administration will move away from a negative stance regarding compensation. She asked if there was anything else that should be discussed and specifically how to advise other committees.

Professor Nantz explained that the commitment to the 95\textsuperscript{th} percentile is overwhelming and its purpose and nature should be discussed with the Board. The outcome of this issue will affect our ability to partner with the administration.

Professor Keenan explained that the gist of the motion is already that the 95\textsuperscript{th} percentile is crucial. He stressed that the members of the Committee on Conference should discuss this issue with other members of Board as well.

Professor Lane noted that the University Budget Committee was never officially informed of this issue.

Professor Dennin asserted that the Committee on Conference should be careful not to offer a two-sentence definition of the 95\textsuperscript{th} percentile so as not to put the Committee on the spot.

Professor Tromley asked if the Board’s reading of the newsletter would eliminate their lack of familiarity with this issue.
Professor Bowen asked if giving the FWC newsletters through liaisons to other committees that meet with the Board would be sufficient.

On reflection, Professor Nantz withdrew her suggestion regarding discussing the 95th percentile in detail with the Board.

Professor Mulvey reported on a recent meeting with President von Arx. She noted that the Council should be aware of two things: first, the President requested an electronic copy of the FWC newsletter, suggesting that he wished to distribute the information to others. Second, she noted that Professor Dennin told him that the Salary Committee was willing to restructure the commitment using the previous year's 95th percentile, which would eliminate the danger of unforeseen circumstances in April.

SVPAA Fitzgerald suggested reordering the Academic Affairs agenda to put the Committee on Conference presentation early in the meeting with the Board of Trustees. He also agreed that we need to retain the idea of the 95th percentile in order to recruit faculty members.

Chair Preli asked Professor Bowen and other visitors if they received enough information. They responded affirmatively.

**Motion [Dennin/Lane]: To adjourn.**

**Motion Passed**: 17 in favor, 0 opposed, 0 abstentions.

Respectfully submitted,

Elizabeth Petrino