MINUTES
Academic Council Meeting
April 16, 2012 (Reconvened from April 2, 2012)
3:30 – 5:00 p.m
CNS 200

Present: Professors Bayne, Boryczka, Dennin, Keenan, Lane, Mulvey (Faculty Secretary), Petrino, Preli (Chair), Rakowitz (Executive Secretary), Sapp, Shea, Strauss, Tromley, Vinekar, Walker, Zera;
Deans Campbell, Crabtree; SVPAA Paul Fitzgerald, S.J.

Guest: Student Nicoletta Richardson

Observer: Professor DeWitt

Regrets: Professor Nantz and Dean Gibson

Meeting begun on April 2, 2012, reconvened by Chair Preli at 3:33 p.m.


Professor Mulvey reviewed the background of the charge and the work of the Executive Committee, having met 5 times in 2010-2011 Academic Year and at least 5 times along with numerous email contacts in 2011-2012 Academic Year. She described the four sections of items that the Executive Committee had recommended be brought back to Academic Council for motions and/or discussion.

Under Item I on Page 2 of the February 14, 2012, memo from the ACEC to the Academic Council, Prof. Mulvey identified a list of 22 straightforward changes that the ACEC had recommended be made to the Handbook, and she asked for any general questions.

Prof. Bayne asked for clarification about the phrase “consistent style” used in change #9.

Prof. Mulvey said that the same committees are often referred to in different ways throughout the Handbook.

**MOTION [Lane/Walker]** that the Academic Council accepts the editorial changes made for consistency of style or to avoid ambiguity and requests that the Senior Vice President for Academic Affairs inform the Board of Trustees that these changes will be made in the 11th edition of the Faculty Handbook.

**MOTION PASSED** unanimously.

Under Item II on Page 3 of the February 14, 2012, memo from the ACEC to the Academic Council: Prof. Mulvey stated that these items were matters of practical information that, per the Handbook, did not have to go to the Board of Trustees (BOT). She further clarified the need for change #14, stating that the proposed change would bring the wording in the Handbook about time between a pre-tenure leave and the next sabbatical leave in line with current guidelines in the JoR.

Prof. Rakowitz said that the policy about the timing of the first sabbatical had been amended in another place in the Handbook but that this particular reiteration of the policy was not changed at this time.
MOTION [Walker/Lane] that the Academic Council approves the changes to matters of practical information and requests that the Senior Vice President for Academic Affairs inform the Board of Trustees that these changes will be made in the 11th edition of the Faculty Handbook.

SVPAA Fitzgerald stated that, on page 30 of the 6/06 edition of the Handbook, the section related to the time between pre-tenure and subsequent sabbatical leave reads “ten semesters of active service”.

MOTION TO AMEND [Fitzgerald/Second] that the wording in change #14 would include the phrase “eligible to apply for a sabbatical after 10 semesters of active service at the University after the pre-tenure leave.”

Prof. Petrino asked if the term “active service” would affect all leaves that faculty might apply for.

Prof. Mulvey said yes, except for maternity leaves.

Prof. Dennin said that the policy would still say the same thing.

MOTION TO AMEND PASSED unanimously.

Prof. Zera asked if, in change #12, programs would be considered a department.

Prof. Mulvey said no, not for this section of the Handbook which concerns procedures related for promotion and tenure.

MOTION TO AMEND [Fitzgerald/Walker] that the word “Associate” would be dropped before “Vice President for Enrollment Management” in change #7. Seconded by Prof. Walker.

MOTION TO AMEND PASSED: 14 in favor, 2 opposed, 0 abstentions.

MAIN MOTION as amended PASSED unanimously.

Under Item III on Pages 4-6 of the February 14, 2012, memo from the ACEC to the Academic Council: Prof. Mulvey noted seven revisions that the ACEC recommended that the AC propose as formal amendments to the General Faculty and the BOT. For the first suggested revision, she stated that the ACEC had noted inconsistencies in the language on schedule and notice of faculty meetings located on page 1 and 2 of the Handbook.

MOTION [Keenan/Dennin] to amend the Faculty Handbook by replacing fifteen with ten in I.A.3 (on page 1), by replacing twice with “at least once” in I.A.6.b (on page 2), and by replacing “Agendas must be published ten days in advance for the four regularly scheduled meetings, and fifteen days in advance for special meetings.” with “Agendas must be published at least ten days in advance.”

MOTION PASSED unanimously.

For the second suggested revision, Prof. Mulvey stated that the Handbook language mandates unnecessary restrictions on voting privileges for the Chairperson of the General Faculty.

Prof. Walker asked what happens if the faculty vote ends in a tie?
Prof. Mulvey said the Chairperson would then vote, but not otherwise. Our rules are more restrictive than Roberts Rules call for, and more restrictive than most similar bodies. She urged that we give standard voting privileges to the Chair.

**MOTION [Lane/Vinekar] to amend the Faculty Handbook section I.A.5 (page 2) by deleting, “The Chairperson votes only in case of a tie.”**

SVPAA Fitzgerald asked a Point of Information: at what point do these motions go to the BOT?

Prof. Mulvey said that these seven suggested revisions would all go to the BOT since they represented substantive changes to the Handbook.

**MOTION PASSED: 15 in favor, 0 opposed, 1 abstention.**

For the third suggested revision, Prof. Mulvey stated that the JoR indicates that faculty can sit on 2 standing committees along with being on AC. Language in the Handbook contradicts this.

Prof. Walker asked if standing committees meant handbook committees?

Prof. Mulvey said yes, they are so defined in the *Handbook*.

Prof. Tromley said that a standing committee that meets regularly is also equivalent to a Handbook committee, according to the Handbook.

**MOTION [Dennin/Tromley] Amend the Faculty Handbook section I.C.a.5 (page 8) by replacing the entire paragraph with the following: “No faculty member may simultaneously serve on more than two Standing Committees. Academic Council members may serve on two Standing Committees in addition to serving on the Council. Service by a faculty member on a special committee of the faculty that meets with regularity and carries a continuing responsibility shall be considered the equivalent of service on a Standing Committee.”**

Prof. Bayne asked if someone is on AC and 2 standing committees including Budget Committee, do they have to step down?

Prof. Mulvey said that the revision is trying to make the JoR and the Handbook the same.

Prof. DeWitt stated that the Budget Committee could be seen as equivalent to a Handbook Committee but we haven’t been following this.

Prof. Preli stated that the revision under consideration is not changing policy but clarifying the language used for consistency.

**MOTION PASSED: 13 in favor, 2 opposed, 1 abstention.**

For the fourth suggested revision, Prof. Mulvey stated that the voting rights of *ex officio* members of Handbook committees needed to be clarified.

Prof. Preli stated that this makes *ex officio* members non-voting unless otherwise noted.

**MOTION [Walker/Dennin] on page 10, insert under 6 and renumber as needed: 7. Voting rights  
Ex officio Handbook Committee members are non-voting members unless otherwise indicated in the *Handbook.***
Delete the words “non-voting” with regard to \textit{ex officio} members in the approved amendments to the \textit{Faculty Handbook} concerning the Library Committee, Faculty Committee on Sustainability, and the Public Lectures and Events Committee.

SVPA Fitzgerald asked if there had been \textit{ex officio} members who have been voting in the past?

Prof. Mulvey said that we needed to make the language consistent regardless of what the practice had been.

SVPA Fitzgerald said that it might be ambiguous to not clearly say that the \textit{ex officio} members are voting or not.

Dean Crabtree stated that it was important to be clear about this issue, since there are differences between committees and that \textit{ex officio} members are often asked to consult about an issue brought up on a committee.

Prof. Walker asked if there were \textit{ex officio} members who are voting now and will then not be allowed to?

Prof. Mulvey said there should not be. As GFS, she sends each incoming chair a memo explaining all details of their committee work including information on membership and voting rights.

\textbf{MOTION PASSED unanimously.}

For the fifth suggested revision, Prof. Mulvey stated that there was a need to make the existing language concerning the process on appeals for the Rank and Tenure Committee consistent with the process for applications and remove the requirement for the Rank and Tenure Committee to \textit{ask for} information from the appropriate faculty and Dean.

Prof. Lane asked if the members of the Rank and Tenure Committee approved this?

Prof. Mulvey said yes.

\textbf{MOTION [Walker/Strauss] On page 22, in II.A.2.a, third paragraph, replace the sentence “Before considering an appeal, the Rank and Tenure Committee shall ask the appropriate faculty in the candidate’s curriculum area and the appropriate Dean to comment in writing on the additional material and to state whether their initial recommendation to grant or withhold promotion has changed.” to “Before considering the appeal, the Rank and Tenure Committee shall receive written comments on the additional material from the appropriate faculty in the candidate’s curriculum area and the appropriate Dean, which will include a statement as to whether their initial recommendation to grant or withhold promotion has changed.”}

\textbf{MOTION PASSED unanimously.}

For the sixth suggested revision, Prof. Mulvey stated that there was variance with the actual process of recording when faculty members are involved in outside consultations and that we needed to make the process more consistent.

Prof. Bayne asked how it was decided if the record would be kept by the Dean or the SVPA?

Dean Crabtree stated that she would prefer that it say both the Dean and the SVPA, in order for the record to be kept in more than one place.

Prof. Lane asked if it shouldn’t just be kept by the SVPA, and not the Dean?
MOTION [Mulvey/Walker] On page 32, in II.B.4 revise last two sentences as shown, “Faculty members serving clients in a consulting capacity are retained as individuals and the University takes no responsibility for such service. Records of all such activities of each individual must be kept on file by the person responsible for his or her curriculum area appropriate Dean or the Senior Vice President for Academic Affairs and be subject to continuing review.”

MOTION PASSED unanimously.

For the seventh suggested revision, Prof. Mulvey stated that language in the Handbook is outdated concerning faculty traveling outside of the continental U.S. and Canada.

MOTION [Walker/Tromley] On page 32, revise the last sentence in the first paragraph under II.B.5 as shown, “The limited University funds shall be made available within the continental United States and Canada in accordance with the following general principles:

MOTION PASSED: 15 in favor; 1 opposed; 0 abstentions.

Under Item IV on Pages 7-8 of the February 14, 2012, memo from the ACEC to the Academic Council: Prof. Mulvey noted that there were nine items for the Council to decide on whether the matters should be taken up by AC for further discussion, or possibly for a sub-committee to be formed next year. Items were reviewed one at a time.

1. The Grievance Procedure in Appendix I could be revised to conform to AAUP standards.

Prof. DeWitt spoke in favor of taking this item up for further discussion and that he has materials to start the work.

MOTION [Lane/Boryczka] to add Item 1 to future agenda of the Academic Council.

MOTION PASSED: 15 in favor; 0 opposed; 1 abstentions.

2. The language on voting rights for faculty members on leave (I.A.4 (a) (b) (c)) could be revisited and revised.

Prof. Mulvey stated that faculty members who were on leave were restricted to sending in votes only on certain issues or items.

MOTION [Dennin/Tromley] to add Item 2 to future agenda of the Academic Council.

MOTION PASSED: 15 in favor; 0 opposed; 1 abstentions.

3. The language in the Handbook on page 22, in II.A.2.a, paragraph 3 on appeals is, “A candidate whose promotion is not recommended by the Rank and Tenure Committee may appeal that recommendation to the Committee only if he/she has additional significant information that had not been submitted with the original application file.” This is not consistent with the Timetable and Guidelines for Tenure and Promotion in the Journal of Record, which state that a candidate may appeal with additional information or clarification.
SVPA Fitzgerald stated that Professor Paul Lakeland would be bringing forward a related motion in the near future. No action need be taken by AC at this time.

4. The language in the Handbook on page 24, in II.A.3.c. (2) may be problematic with regard to time on maternity leave counting towards tenure.

Prof. Mulvey said that maternity leave is not supposed to necessarily stop the tenure clock. The Handbook policy may not be consistent with the BPO. Faculty on maternity leave are given a semester off of teaching but are expected to continue with their other work.

**MOTION [Dennin/Petrino] Moved to add Item 4 to future agenda of the Academic Council.**

Dean Crabtree said that this issue would need to be clarified in relation to AAUP guidelines. Should faculty have an option to ask for a delay?

Prof. Petrino stated that the policy should be consistently applied.

Prof. Lane stated that he agreed this matter should be taken up, and that we need to follow AAUP guidelines.

Prof. Mulvey stated that AAUP typically doesn’t have proscriptive guidelines.

**MOTION PASSED: 15 in favor; 0 opposed; 1 abstentions.**

5. The language in the Handbook on page 25, in II.A.5.c. appears to refer to non-tenure track faculty, and we may not be adhering to it.

Prof. DeWitt stated that this issue was on the list for last year’s ACEC to consider but that it may not be a problem now.

SVPA Fitzgerald said that we have one-year term appointments, and the Professors of the Practice (POP) who have one-year contracts renewable for three years.

Prof. DeWitt asked if the policy is adhered to for the POPs?

SVPA Fitzgerald said yes.

No action taken by AC at this time.


**MOTION [Mulvey/Dennin] Moved to add Item 6 to future agenda of the Academic Council.**

**MOTION PASSED unanimously.**

7. The language in the Handbook on page 34, in II.C.4, on teaching load is, technically, correct, but could be clarified to emphasize that a normal teaching load is 9 hours/week.

Prof. Mulvey discussed the difference between a “normal” and a “maximum” teaching load. Normal is 9 hours per week; maximum is 12 hours per week; “normal” is what most faculty teach and “maximum” is the amount no faculty member will exceed.
Prof. Tromley asked if POP’s teach 12 hours per week?

SVPAA Fitzgerald said yes.

**MOTION [Dennin/Walker] Moved to add Item 7 to future agenda of the Academic Council.**

**MOTION PASSED: 14 in favor; 0 opposed; 2 abstentions.**

8. There was discussion on whether or not it would be useful to clarify the definition of members of the General Faculty (I.A.2 on page 1).

I.A.2 (Existing language): The General Faculty is composed of all full-time University faculty members with the rank of Instructor or above, the President of the University, the Academic Vice President, the Academic Deans, and the University Librarian. Other persons may be appointed as members of the General Faculty by the President upon the recommendation of the Academic Council. All members of the faculty as described above have the right of vote at meetings of the General Faculty.

The 2010-11 AC Executive Committee had suggestions for this language which would define faculty based on the kind of contract they received. The 2011-12 AC Executive Committee’s conclusion was that the language was best left unchanged.

Prof. Mulvey stated that the current ACEC felt that the language was clear enough and that changes would complicate things too much.

Prof. Preli stated that part of the discussion dealt with Administrators with Faculty Status.

Prof. Bayne asked what was the issue?

Prof. Mulvey said that the language needed to be clear for voting purposes and it is.

Prof. DeWitt said that he would prefer to have further distinctions made, similar to what is made at institutions around the country: general faculty members versus Administrators with faculty status.

Prof. Lane asked who this involves at Fairfield?

Prof. Mulvey said there about 15 administrators who have faculty status which allows them to vote at GF meetings: President, 5 Deans, Mary Frances Malone, Richard Ryscavage, Geoff Church, Roben Torosyan, Jill Deupi, and others.

Prof. Denin asked what was the status of Associate Dean Weiss?

Prof. Mulvey said she’s a faculty member.

Dean Crabtree asked what was the goal of taking this up? Was it to take the voting rights away from some? Or to parse out when they can vote and not vote?

Prof. Preli said the goal was to decide if any further action was warranted.
Dean Campbell said that there is confusion when you take on roles like Associate Dean and can or can’t stay on Handbook Committees.

Prof. DeWitt said that he would like to look further into this, but that it may not be worth it.

No action taken by AC at this time.

9. There was discussion on whether or not it would be clarifying to delete the word “academic” when defining the term of a member of the Academic Council (I.B.2 in first paragraph) to indicate that the term of a Council member continues throughout the summer in the event that Emergency Summer Meetings are called per the process in the Journal of Record.

I.B.2 (Existing language): The term of a faculty member is two academic years. The 2010-11 AC Executive Committee agreed that deleting the word made sense. The 2011-12 AC Executive Committee felt that language later in the text made this unnecessary. Specifically the statement in I.B.2 paragraph 5 that “Newly elected members shall take office at the first meeting of the new academic year” implies that members serving in a given academic year continue to serve, if emergency meetings are called, throughout the summer.

Prof. Mulvey stated that the current ACEC feels that later language clarifies this issue, where it says that the term of an AC member begins in September.

Prof. DeWitt noted that the Academic Year ends on 5/31, but that the JoR mentions summer meetings. There is no harm in taking the word “academic” out.

Prof. Rakowitz stated that she doesn’t see the Academic year ending on 5/31 and that it is not an issue.

Prof. Dennin asked if the Academic Year is defined anywhere.

Prof. Mulvey said no.

**MOTION** [Dennin/Bayne] Moved to remove the word “academic” in I.B.2, paragraph 5, prior to “year”.

Prof. Mulvey spoke against the motion, stating that the intended meaning is obvious.

Prof. Dennin said that he felt it needed more clarification.

Prof. Mulvey felt that it made things more confusing.

Prof. Bayne stated that other Handbook committees specify a term of “2 years”.

**MOTION FAILED:** 5 in favor; 8 opposed; 2 abstentions.

No other action taken by AC at this time.

6.b. Slightly revised JoR language for AC motions on part-time students approved by AC on 2/6/12.

Prof. Mulvey stated that, in order for the approved policies to be in language appropriate for the JoR, the word “should” needs to be replaced with “will”.
MOTION [Lane/Vinekar] Moved to replace the word “should” with the word “will” in policy #3, 4, and 6 in text regarding part-time students approved by the AC on 2/6/12.

MOTION PASSED: 15 in favor; 0 opposed; 1 abstentions.

4.a. Subcommittee for considering remaining items from ad hoc JoR committee recommendations.

Concerning Item 22 from the Memo dated 10/25/11, Prof. Mulvey stated that the issue was about the stated policy being appropriate and clear, and she recommended the change.

MOTION [Tromley/Zera] to replace the current entry in the JoR about Missed Classes with:

Canceling classes in inclement weather:
In the event of inclement weather, when the University remains open, faculty members should make every reasonable effort to meet their regularly scheduled classes. The final judgment on what is reasonable effort, and therefore whether to hold class, resides with the individual faculty member. Faculty members should try to notify their students of a decision to cancel class in a timely manner.

MOTION PASSED: 14 in favor; 1 opposed; 0 abstentions.

Concerning Item 23 from the Memo dated 10/25/11, Prof. Mulvey suggested deleting the current wording about policy on missed exams and replacing it with the paragraphs that address policy on attendance.

MOTION [Rakowitz/Tromley] to replace the current entry in the JoR on makeup exams with:

Class Attendance.
All students are expected to attend every regularly scheduled class session. The impact of attendance on grading is specified in the syllabus for each course. Unexcused absences may be reported to the appropriate academic dean.

Faculty members should have a policy for dealing with student absence on the syllabus for each course. If a student will miss a class due to an illness/injury, the professor should be notified according to the policy on the syllabus. If a student will miss an exam, quiz or in class presentation due to illness/injury or another type of emergency, the professor should be contacted beforehand. A faculty member may request that the student provide verification of the absence from a health care provider. It is the purview of the faculty member to determine when or if a student absence will be excused.

Prof. Dennin asked about the need for a student to contact the professor.

Prof. DeWitt said that the word “should” covers this.

MOTION PASSED unanimously.

Concerning Item 36 from the Memo dated 10/25/11, Prof. Mulvey said that they needed to update the rules and processes for students taking a course as a “tutorial”.

Dean Crabtree asked if a tutorial is like an independent study? There are limits to this, with payment and budget implications. She prefers that the Deans be involved in the decision process.
Prof. Walker stated that this has happened in the Biology Department, and that the faculty felt that they had no choice.

Prof. DeWitt asked if the tutorial reimbursement is not specified now?

Dean Crabtree stated that it has been distributed among the Chairs at this point.

Prof. Mulvey stated that a faculty member can decide if they want to do it for free, but that the JoR needed to have clear policy which should not involve the budget matters.

**MOTION** [Mulvey/Lane] Moved to replace the current entry in the JoR on Tutorials with:

Tutorials.

In rare circumstances, students may be permitted to enroll in a course listed in the University catalog on a tutorial basis with the approval of the Area Coordinator/Chair and the faculty member offering the tutorial.

**MOTION PASSED:** 13 in favor; 0 opposed; 2 abstentions.

**MOTION** [Dennin/Lane] Motion to adjourn.

**MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 5:00 pm.

Respectfully submitted,

Joyce Shea
Recording Secretary