Minutes
Meeting of the Academic Council
December 1, 2014

Present: Profs. Bhattacharya, Cavanaugh, Crawford, Dennin, Harding, Mulvey (Executive Secretary), Petrino, Preli (Chair), Rakowitz (General Faculty Secretary), Rusu, Smith, Steffen, Strauss, Thiel, Wheeler, Yarrington; Senior Vice-President for Academic Affairs Babington; Deans Berdanier, Gibson, Hannafin, Kazer; Mr. Abate (student observer); Prof. Hohl (observer)

Regrets: Prof. Nguyen

Chair Preli called the meeting to order at 3:32 P.M.

1. Presidential Courtesy:
SVPAA Babington reported on a number of items. Applications for the class of 2019 are up, with early action/binding decision applications up 25%. She noted that a plethora of exciting faculty intellectual activities – such as symposia and book discussions – have taken place this semester. She noted that several key searches are progressing well. A new Director of the Quick Center has accepted the position and the position of Director of the Bellarmine Museum is in the last stages of negotiation. Both appointments are eager to contribute in the classroom. The Search Committee for the Dean of the College has met several times and has received applications from excellent candidates. Advancement is working with Deans on the reconstitution of the school advisory boards to maximize the contributions of their members. Approved plans for the new Health Sciences building call for a four-story structure, with the top two floors providing much needed classroom space. SVPAA Babington said she was hopeful about our fund-raising prospects. Marketing is sending out template options for university materials and guidelines for social media practices. There are no conflicts between scheduled university sports events and final exams/reading days.

Profs. Dennin and Rakowitz asked about the anticipated number of students in the incoming class. SVPAA Babington replied that the target number was 1000. Profs. Dennin and Rakowitz both noted that President von Arx had stated in his presentation to the October meeting of the Academic Council that there was a “hard cap” of 1000 and wondered about the rhetorical difference between “hard cap” and “target.” SVPAA Babington responded that the difference in words corresponded to no difference in intent and that in practice it was most improbable that exactly 1000 students would be admitted to the incoming class.

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

3. Report from the Executive Secretary:
   a. Approval of Minutes
SVPAA Babington moved the approval of the November 3, 2014 minutes of the Academic Council; seconded Prof. Crawford. Prof. Harding corrected the third paragraph of 4.e. to read: “The committee discussed two options for 2016-17.” Prof. Smith stated that an entry was wrongly attributed to her under 6. that begins “These yellow forms are very significant…” The collective memory of the Council was that these were the views of Prof. Eileen O’Shea.

The motion on the approval of the corrected minutes PASSED: 15 in favor, 0 opposed, 0 abstentions.

   b. Correspondence
Prof. Mulvey noted that she distributed, both by e-mail and hard-copy at the meeting, an e-mail exchange between her and the President regarding the possibility of his option for the Presidential Courtesy at the December meeting of the Council and the President’s response to the Council motion at its November 3 meeting requesting that a representative of the administration be sent to the Council to explain the calculation of the 2015 health insurance premiums. The President declined the request on the grounds that an offer by the administration to make such an explanation at the November 21 General Faculty meeting had been declined and that the Academic Council had no specified responsibility in this matter. Prof. Mulvey responded in her correspondence that she knew of no formal administrative offer to make a presentation on these matters at the November 21 meeting of the General Faculty, but
that, in any case, all faculty committees, including the Salary Committee, report to the General Faculty through the Academic Council.

c. Oral Reports
Prof. Mulvey reported to the Council that the Healthcare Committee met with representatives of the administration on November 24 and received a more complete explanation on the calculation of insurance premiums.

Prof. Mulvey noted correspondence from the Calendar Committee that includes a revised calendar and a request for its timely approval.

4. Council Subcommittee Reports: None

5. Old Business:
a. Undergraduate Curriculum Committee Proposal for Pass/Fail Option

Prof. Rakowitz reminded the faculty of the presentation by Prof. Kathryn Nantz on this matter at the October meeting of the Council.

Professor Crawford moved that the Academic Council approve the policy on a pass/fail option in undergraduate courses submitted by the UCC; seconded Prof. Yarrington. The recommended policy is:

Rationale:
Generally speaking courses should use the traditional (A, B, C, D, F) grading system. However, some courses (e.g., many internships) do not lend themselves to traditional grading by multiple letter grades, and a Pass/Fail grade may be preferable in these cases.

Details:
1. All students in the course will receive a grade of either Pass or Fail.
2. The requirements for a Pass grade must be specified in the course syllabus.
3. The decision to designate a course Pass/Fail must be approved by the department within which the course is taught and by the curriculum committee of that school.
4. A Pass/Fail course will count as a regular course toward graduation, determining full-time status, etc.
5. The grade in a Pass/Fail course will not be included in calculating a student’s grade point average but will appear in all cases on the student’s transcript.

Prof. Thiel reminded the members that the Council was voting on the substance of the policy. The language of the policy as written is not ready for inclusion in the Journal of Record and a vote of approval would have the Council’s Executive Committee bring reformulated language back to the Council for its approval.

Mr. Abate asked to what kind of courses this policy might apply. Various members replied that in principle any, but in practice courses like internships and clinicals. To his query about the current policy on this matter, Prof. Mulvey replied that there was currently no pass/fail option for undergraduate courses. Mr. Abate expressed concerns that the pass/fail option could be abused by students as a “grade booster.”

Chair Preli noted that the pass/fail option exists in graduate courses where there is an expected level of competent performance. Prof. Cavanaugh stated that were the policy approved he would like to see it reviewed after a period of time. Prof. Harding expressed concerns about student incentives in such courses and wondered if the Registrar’s office was prepared to distinguish clearly between grade courses and pass/fail courses. In response to expressed needs for clarification, Prof. Rakowitz stated that if a course were approved for the pass/fail option by the department and the school curriculum committee, then no student in that class could receive a letter grade. Prof. Crawford noted that grading an internship is sometimes very nebulous since the professor assigning the grade does not directly supervise all of its dimensions. Pass/fail would be much more realistic in such cases. Prof. Smith thought that the recommended policy brings clarity to certain kinds of student achievement by offering this new option.

The motion PASSED: 15 in favor, 0 opposed, 0 abstentions.
Prof. Cavanugh moved that the Undergraduate Curriculum Committee evaluate the success of the pass/fail option after a period of five years; seconded Prof. Crawford.

Prof. Yarrington wondered if departments would not correct problems as they developed. Prof. Crawford agreed that the department would be the most likely setting for the identification of problems.

The motion PASSED: 12 in favor, 4 opposed, 0 abstentions.

Prof. Dennin asked the Council if members were willing to discuss the viability of a pass/fail option for an individual student. He said that this was a good way to have students push beyond their comfort level by taking interesting courses in which they were yet concerned about their ability. Prof. Yarrington agreed that this was a worthy issue. Dean Gibson assured the Council that all these issues were discussed by the UCC and that the committee’s work was thorough and excellent. He saw no reason to direct the UCC again to issues it had already discussed.

b. Discussion of the Academic Council Approved Amendment to the Faculty Handbook for a Committee on Non-Tenure Track Faculty

Prof. Rakowitz introduced this matter by detailing the history of the Council’s approved text for a Handbook amendment constituting this committee and the President’s proposed revision of the text, which was now under consideration.

Prof. Thiel asked SVPAA Babington why the President’s revision made a specific issue of the committee’s making recommendations specifically “to the Academic Council.” All Handbook committees do so when making formal policy recommendations. It seemed as though this specific language, which is not typical of Handbook committee descriptions, has the intention of restricting the workings of the committee. SVPAA Babington replied that there was no such intention in the revised language and, given the understanding of the workings of the governance structure, she imagined that eliminating the words “to the Academic Council” would be acceptable to the President.

Prof. Mulvey moved that the Council extend speaking privileges to Prof. Elizabeth Hohl, who was attending as an observer; seconded Prof. Steffen.

The motion PASSED: 15 in favor, 0 opposed, 0 abstentions.

Prof. Hohl stated that initially she had concerns about the President’s revised language but that now, in light of administrative clarifications, her concerns have been addressed. Prof. Hohl stated that the proposed committee would provide visibility to non-tenure track faculty, as well as the prospect of constructive change.

Prof. Mulvey observed that if the phrase “to the Academic Council” in the revised language carries no specific meaning, since all Handbook committees make recommendations to the Academic Council for the formal approval of policy on the part of the Council, then it should be eliminated. She noted that any committee may make appropriate recommendations to other quarters of the university.

Prof. Rakowitz asked why the SVPAA intended to bring the issue of new non-tenure track faculty categories to this proposed committee, as she has stated she would. Given the fact that the administration had narrowed the scope of the committee’s work to addressing the “employment conditions” of non-tenure track faculty it was unclear to her how the creation of new professorial categories was a matter of employment conditions. SVPAA Babington replied that she understood the creation of new professorial categories to fall under the auspices of employment conditions. Prof. Thiel asked why the SVPAA had not come to the Academic Council this year to raise the question of new professorial categories. SVPAA Babington replied that she had been advised not to do so by other members of the Council’s Executive Committee. Prof. Mulvey said that she disagreed with the rationale for the elimination of the words “and to represent non-tenure track faculty” in the President’s revised language, to wit, that non-tenure track faculty, the President holds, are not represented by the General Faculty. They may be represented by the General Faculty, Prof. Mulvey claimed. Yet, she stated, the approval of the revised language does not at all entail the approval of particular rationales for that language and she saw no problem with the revised language on this point.
Prof. Mulvey moved that the Council approve the revised Handbook language for the creation of a Committee on Non-Tenure Track Faculty on pp. 31-32 in the packet for the Council meeting of November 3, 2014, with the elimination of the phrase “to the Academic Council” under “General Purposes” and changing the word “matter” to “matters” under the first of the “Specific Duties”; seconded Prof. Steffen. The text set forth in the motion is:

5. Committee on Non-Tenure Track Faculty

Membership
Three members of the General Faculty, at least one with tenure, elected for three-year overlapping terms in the usual manner, and three non-tenure track faculty members elected for three-year overlapping terms by the non-tenure track faculty in an election overseen by the Secretary of the General Faculty each spring. The SVPAA or his/her designee shall be an ex officio member. The election of the three non-tenure track members will take place before the election of members from the General Faculty, and committee membership shall include at most three members from the College of Arts and Sciences. Non-tenure track faculty members serve for three years as long as they are employed at Fairfield. Members with part-time faculty status receive a stipend equal to 1/8 of their stipend for one course for each semester they serve on this committee.

General Purpose
To study and make recommendations on the employment conditions of non-tenure track faculty.

Specific Duties
1. To draft or review policies on matters pertaining to non-tenure track faculty.
2. To receive suggestions from any source on matters pertaining to non-tenure track faculty.
3. To facilitate interaction between tenure track and non-tenure track faculty.
4. To promote professional development of non-tenure track faculty.

Prof. Petrino spoke in favor of the motion, noting the need for this committee. There are issues in the relations between non-tenure track faculty and administration, she said, that go beyond the purview of Deans and department chairs.

In response to a question from Prof. Rakowitz regarding faculty contact information, SVPAA Babington stated that the President was unwilling to include in the Handbook anything that appeared to be a mandate to provide personnel information to a third party. She said that in practice her office could and would supply contact information for non-tenure track faculty to the constituted committee.

The motion PASSED: 15 in favor, 0 opposed, 0 abstentions.

c. Discussion of the Academic Council Approved Amendment to the Faculty Handbook on Language on Maternity Leave Policy

Prof. Rakowitz introduced the issue that dates from previous Council meetings and that has continued in an exchange of e-mails this fall between the President, the General Faculty Secretary, and the Executive Secretary of the Council. The Council had proposed a change to the Handbook at II.B.d stating that faculty on maternity leave are released from teaching responsibilities “and service.” The President declined the change on the grounds that this was a benefit issue that does not belong in the Handbook. The Council could pass on the proposed Handbook amendment to the faculty for a discussion of the President’s refusal or retract the proposed language.

SVPAA Babington noted that the President will not change his mind on this matter. She thought it best that the Council not move the issue to the General Faculty. Prof. Thiel agreed. Some, he said, have found the President’s response irrational since the text on maternity leave is already in the Handbook and the proposed change only brings coherence to the language already there. He thought that a truer interpretation of his refusal was that in the governance negotiations of several years ago this policy might very well have been moved to the BPO with other details of benefits but was overlooked by the administration, and the President did not want to visit these issues
Note: The text below is a transcribed version of the minutes of the Academic Council meeting held on December 1, 2014. The meeting was held in the Academic Council room.

Prof. Crawford asked what impediment the President’s refusal presented to actual maternity leave. Prof. Rakowitz replied none.

Prof. Thiel moved the retraction of the Council’s approved motion for a change in the Handbook language on maternity leave; seconded Prof. Dennin.

Prof. Mulvey spoke against the motion on the grounds that the faculty needed to be informed on these issues by the Council’s passing on the motion to the General Faculty.

The motion PASSED: 12 in favor, 0 opposed, 2 abstentions.

Prof. Mulvey moved that the Council instruct the General Faculty Secretary to inform the faculty of what transpired in the process of the President’s rejection of the Council’s motion on a proposed change in the Handbook language on maternity leave; seconded Prof. Cavanaugh.

Prof. Steffen expressed a concern that this motion called for an odd precedent in faculty communication. SVPAA Babington spoke against the motion by asking what good could come from implementing it? Prof. Crawford stated that the integrity of our maternity leave policy was the real issue and that that was not at stake here. He was concerned that approving the motion would create needless anxiety. Prof. Strauss argued that approving the motion would create a questionable precedent of increased scrutiny of the Handbook on relatively small matters. Approving the motion would do the very harm that approving the motion to retract was trying to avoid. Prof. Mulvey stated that the intent of the motion was to inform the faculty about the process. Profs. Rakowitz and Thiel both thought that the arguments of Profs. Crawford and Strauss were convincing. Prof. Dennin noted that faculty could be informed of the process through the minutes of the Academic Council.

The motion FAILED: 2 in favor, 10 opposed, 2 abstentions.

As the scheduled time of the meeting was coming to a close, Prof. Rakowitz noted that there were still outstanding items on the Council’s agenda and asked the body if the meeting should be recessed until next Monday, Dec. 8.

Prof. Dennin moved adjournment; seconded Prof. Strauss.

The motion FAILED: 5 in favor, 6 opposed, 3 abstentions.

Prof. Mulvey moved that the Council approve the revised academic calendar for 2016-17 submitted by the Calendar Committee; seconded Prof. Steffen.

Prof. Mulvey stated that all the revisions called for at the Council’s November 3 meeting had been made and that the committee had done exceptional work.

The motion PASSED: 14 in favor, 0 opposed, 0 abstentions.

Prof. Crawford moved adjournment; seconded Prof. Petrino.

The motion PASSED: 13 in favor, 0 opposed, 0 abstentions. The Council adjourned at 5:03 P.M.

Respectfully submitted,

John E. Thiel
Recording Secretary