Meeting of the General Faculty  
Friday, October 23, 2009 from 3:30 - 5:00 PM  
Dolan School of Business  
Room 110 and 110A

AGENDA

1. Announcements
2. Approval of minutes General Faculty Meeting of 5/14/2009 (attached)
3. Report on presentation by invited faculty members to Board of Trustees (attachments)
4. Report by the Faculty Salary Committee (attachments)
5. Proposed Handbook amendments on Academic Council Executive Committee and voting membership of the Academic Council (attachments)
6. Adjournment.

ATTACHMENTS.

For item 2.a: Draft minutes of the 5/14/2009 General Faculty meeting (pages 2-16)
For item 3: Invitation from Board of Trustees chair to faculty members dated 9/23/09 (page 17)
Statement to Board by Prof. Preli, AC Chair (page 18)
Memo to Board from Prof. DeWitt, Preli, and Mulvey (pages 19-22)
Statement to Board by Prof. Mulvey, Secretary of the General Faculty (pages 23-25)
Email from Board chair dated 10/6/09 with 10/1/09 Resolution passed by Board (page 26)

For item 4: Background and chronology (pages 27-28)
Documents from Faculty Salary Committee:
- Cover Memo from FSC to GF dated 10/7/2009 (pages 29-31)
- FSC’s “Road Map to the Proposed Changes” dated 10/8/09 (pages 32-33)
- Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, 9/21/09 (pages 34-41)
- Proposed Memo of Understanding 2009-2010 with changes shown (pages 42-46)
- Proposed Memo of Understanding 2009-2010 with changes incorporated (page 47-51)
- Proposed Benefit Plans Overview, Appendix to the MOU (pages 52-68)
- Proposed amendment to the Faculty Handbook section on Fiscal Policies with changes (page 69-71)
- Proposed amendment to the Faculty Handbook section on Fiscal Policies with changes incorporated (page 72-73)

Discussion at Academic Council meeting:
- Excerpt of AC minutes of 9/14/09 (pages 74-75)
- Excerpt of AC Draft minutes of 9/21/09 (pages 76-79)

For item 5: Background and chronology (pages 80-82)
AC Subcommittee on Governance Final Report (pages 83-88)
Motions to be voted on (page 89-91)
Excerpt of AC draft minutes of 10/5/2009 (pages 92-96)
Excerpt of AC draft minutes of 10/13/09 (page 97)

THE MEETING WILL BE FOLLOWED IMMEDIATELY BY A GALA RECEPTION  
HOSTED BY THE FACULTY WELFARE COMMITTEE/AAUP
The meeting was called to order by Chair of the Faculty, Professor Phil Lane, at 2:34 PM.

1. **Announcements.**

Secretary of the General Faculty, Irene Mulvey, thanked everyone for coming to this meeting of the General Faculty (GF). She gave instructions for proxy voting on those items for which proxy voting is allowed. She indicated that there are 3 handouts for this meeting (attached as appendices A, B and C) and these were distributed by the Committee on Committees.

She explained that most items on the agenda came to the GF from the Academic Council (AC), and Items 7 and 9 are from the Faculty Salary Committee. The AC Subcommittee on
Governance had asked the AC to vote on its proposals without amendment and, although this is not usually the way business is handled, it was agreed in this case to do that. So, the motions and proposals put before the GF today are unchanged by the AC.

It had been noticed that there is a problem with the agenda and it would be necessary to take up Item 10 before Item 8.

**MOTION.** [DeWitt] to reorder the agenda to take up Item 10 after Item 7.
**MOTION PASSED.**

Prof. Mulvey said that she had received numerous requests to have votes at this meeting taken by ballot.

**MOTION.** [Abbott] that votes on all agenda items after Item 2 be conducted by ballot.
**MOTION PASSED.**

Prof. Mulvey indicated that she was prepared for ballot voting and that members of the Committee on Committees had been asked to help, if needed, in distributing, collecting and counting ballots.

Prof. Dawn Massey was recognized and read a statement (attached as Appendix D). She brought up three objections to conducting business at this time. (1) On 4/20/2009, the AC passed a motion” that the Faculty Welfare Committee obtain legal consultation on the document presented to the AC” and that no results of any legal consultation had been shared with the AC or the GF. (2) The *Faculty Handbook* (FHB) mandates that amendments to the FHB must be “approved by a two-thirds vote of those present and voting at a regularly scheduled meeting of the GF” and she suggested that the current meeting was not a regularly scheduled meeting. (3) The FHB (I.A.3) mandates that “Notice of faculty meetings with agenda shall, except in an emergency, be issued at least 15 days in advance”, but that notice and agenda for this 5/14 meeting was distributed on 5/7. She made the following motion, which was seconded:

**MOTION.** [Massey] Until results of legal consultation for which the Academic Council voted on April 20, 2009 are shared with the faculty and the matters before us can be voted upon at a regularly scheduled meeting of the General Faculty, after timely notice has been given by way of an agenda received at least 15 days in advance of the meeting, I hereby move to adjourn this meeting.

**MOTION.** [Massey] that the vote on the main motion be by secret ballot.
**MOTION to vote by ballot PASSED.**

Members of the Committee on Committees distributed, collected and counted ballots.

**MAIN MOTION FAILED.** 77 in favor and 106 opposed.

2. **Approval of minutes of previous meetings.**

**MOTION.** To approve the minutes of the meeting of May 1 as circulated.
MOTION PASSED.

MOTION, To approve the minutes of the meeting of May 4 as circulated.  
MOTION PASSED.

3. Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation

Prof. Kathy Nantz made the following motion, which was seconded by Prof. Betsy Bowen. See list of motions attached as Appendix A.

MOTION, [Nantz/Bowen] the General Faculty approves the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation included as pages 14-20 of this packet [for the 5/14/2009 General Faculty Meeting] for inclusion in the Journal of Record.

A vote was conducted by ballot.

MOTION PASSED. 154 in favor, 45 opposed and 1 abstention.

4. Handbook Amendment on the charge of the Faculty Salary Committee.

MOTION, [Nantz] The General Faculty approves the text on page 21 of this packet to replace the language in the Faculty Handbook regarding the purpose and duties of the Faculty Salary Committee in section I.C.b.13.

A vote was conducted by ballot. To carry, the motion requires approval by 2/3 of the faculty present and voting.

MOTION PASSED. 143 in favor, 27 opposed.

5. Discussion of alternative motion.

Prof. Rick DeWitt was called on to explain the alternative motion, which had been passed by the Academic Council on 5/4/2009. He briefly outlined the information on the handout for this meeting, Explanatory Information for Agenda Item 5 (attached here as Appendix B). He explained that the faculty should not vote on the alternative motion at this time since other items on our agenda must be decided first, but that faculty should be aware that the AC did pass an alternative motion to be considered by the GF. The floor was opened up for questions.

Prof. John Thiel described the alternative motion as reasonable, but wanted faculty to understand that the AC Subcommittee on Governance was bringing to the faculty a package with more in it and he encouraged the faculty to consider the AC Subcommittee on Governance’s package.

Prof. Joan van Hise asked if passing the alternative motion would remove benefit details and protections out of the Handbook. Prof. De Witt: No, the only change to the Handbook would be removal of the phrase, “at no cost to the faculty member” with regard to health benefits.
Prof. Kathy Nantz cleared up some confusion with regard to the Benefit Plans Overview booklet (BPO). The BPO is an appendix to our Memo of Understanding (MOU). So, we need to approve any changes to the BPO before we approve the MOU. The ACSC package would change the BPO. The alternative motion would change the BPO in a different way.

In response to a request for explanation from Prof. Judy Primavera, Prof. DeWitt said that the proposals in Item 6 and 7 of the agenda were the most dramatic in terms of language being removed from the Handbook and put into the BPO. Item 8 represents the minimalist approach to moving language from the Handbook into the BPO. He apologized for the fact that the proposals before us are so complex.

Prof. Michael Tucker asked if the Faculty Welfare Committee representatives had asked the FWC attorney if the trustees can unilaterally amend the Handbook. Prof. DeWitt replied that the attorney’s opinion is that unilaterally changing the Handbook would be problematic for the trustees because the Handbook is a contract.

Prof. Susan Rakowitz described the alternative motion as a great compromise and noted that the ACSC had suggested this very compromise to the administration and it was not accepted. Faculty should not think that we can choose between the motions being proposed – one has been accepted by the administration and one has been rejected, at least in committee, by the administration.

MOTION [Thiel] to reorder the agenda and consider Item 11 immediately after Item 5.
MOTION PASSED.

11. a. Amendment to the Handbook I.B.2. on AC voting members

MOTION. [Nantz] The General Faculty approves the amendment to the language of the Faculty Handbook on the voting membership of the Academic Council [I.B.2] as described in this packet [for the GF 5/14/2009 meeting] on pages 60-62.

Prof. Mulvey spoke against the motion on principle. In keeping with AAUP principles, the Academic Council is a faculty body charged to make recommendations and decisions on any item under faculty purview and this should be by faculty vote. The ex officio members, the AVP, 6 academic deans, and the Secretary of the General Faculty, provide input and context but were not elected by colleagues to serve on the Academic Council and so should not have voting privileges. She first raised these arguments to the President and SVP Weitzer in May 2008 in response to a recommendation from the Blue Ribbon Commission on Governance and the only rebuttal offered to these arguments has been “it’s part of the package”. Besides the principled argument, the Handbook language presented to us would introduce a contradiction in that, with this revision, I.B.2. paragraph 2 would say certain administrators are voting members and I.B.2. paragraph 6 would say only the elected faculty members are voting members. Due to the contradiction, she suggested it should be sent back to the Council.

Prof. Nantz said that in a perfect world, she would agree with the arguments against this motion, but we are not in a perfect world. We’ve been challenged by the administration to introduce more
meaningful efforts at shared governance and faculty-administration cooperation and collaboration. The administration is convinced that voting privileges for the Senior VP for Academic Affairs and 2 deans is an appropriate direction for us to move in. She agrees with this assessment and is in favor of the motion, although not necessarily with confidence that it will provide the kind of shared governance model that the administration envisions.

Prof. Rosivach spoke against the motion, noting that anything we put in the Handbook that works against the faculty will stay in the Handbook forever and that anything we take out of the Handbook that is beneficial to the faculty will be lost forever. He doesn’t understand the arguments he has heard in favor of this proposal that we “have reached a moment”. He noted that in years past, there was always regular communication between the AVP and the AC Executive committee and General Faculty Secretary. In the last few years, there has been no communication, indicating the problem is not structural but a personnel or personality problem. It is inappropriate to radically amend the Handbook in order to solve this problem. With this amendment, we would lose the one organ in governance that speaks for the faculty. Arguments that this is a compromise since faculty members now sit on board committees are faulty since the faculty members are not members of these board committees and they do not vote.

Prof. Nancy Dallavalle spoke in favor of the motion. Our faculty group has worked all year trying to find a compromise. At this time, the Board is asking if we can work with them to move the University forward. Do we, as faculty, have confidence in this approach to shared governance – Prof. Dallavalle does have confidence in this approach. Vote against this motion and blow up the table. Vote for this and move forward.

Prof. Jo Yarrington suggested that the Faculty Handbook is a living document and not set in concrete. She spoke in favor of the motion saying it the restructuring of the Executive Committee might create a stronger bridge and place of discourse between administration and faculty.

Prof. Mousumi Bhattacharya spoke against the motion. She questioned the premise that we aren’t currently moving forward and noted that it’s essential to have an independent faculty body. The proposal doesn’t move us toward equal governance sharing, the faculty are giving up too much.

Prof. DeWitt noted that the General Faculty is a deliberative body. We always have and should continue to deliberate on the merits of the proposals. He would be against this motion on its merits, but even more, we shouldn’t vote to put inconsistent language in the Handbook. The contradictory language is no one’s fault but only due to the fact that the work was complicated and rushed. It would be inappropriate to vote on a motion that would introduce inconsistent language into the Handbook.

**MOTION.** [DeWitt] to refer the Handbook amendments in Item 11 to the Academic Council in order to resolve the inconsistent language.

Prof. Nantz spoke against the motion and took complete responsibility for the mistake in the language. It’s important that we show progress in terms of governance. We should pass this now and fix the mistake in the fall.

Prof. Walter Hlawitschka offered an amendment to fix the language. Prof. Mulvey said that per the Handbook any amendment to the Handbook needs to go to the AC for review and recommendation so it is not possible to amend a Handbook amendment on the floor of a General Faculty meeting.
Prof. John Thiel spoke against the motion to refer the amendment to AC, calling the error perfunctory and agreeing that it could be fixed in the fall.

Prof. Larry Miners spoke against the motion to refer the amendments to AC. We should vote on the amendment now. Three votes on the AC for administrators is not significant.

Re MOTION to refer the amendments in Item 11 to AC.

MOTION FAILED.

MOTION. To call the question

MOTION PASSED.

A vote on the main motion was conducted by secret ballot. Since the motion involves a Handbook amendment, passage requires approval by 2/3 of members present and voting.

MAIN MOTION FAILED. 111 in favor and 67 opposed.

b. Amendment to the Handbook I.B.10 and I.B.7 on AC Executive Committee.


Prof. Vin Rosivach spoke against the motion since it would add to the Executive Committee of the AC an individual who is not a member of the AC and may not even be a member of the General Faculty. This goes too far.

Prof. Nantz spoke in favor of the motion as a step in the right direction towards the goal of improving communication. She pointed out the inconsistency with the administration’s stated intent to move details out of the Handbook while arguing for this proposal, which puts more details into the Handbook. She said that the AC Subcommittee on Governance made Prof. Rosivach’s arguments to the administration to no avail.

Prof. Mulvey said she was against the motion for all of the same reasons that Prof. Nantz stated in favor. Working with the AC Executive Committee for the last 6 years, she knows firsthand that the Executive Committee has no authority and takes no action unless directed to do so by the Council. The motion presumes a role for the Executive Committee that it does not have.

Prof. Rona Preli spoke against the motion. As Chair of AC this year, she has firsthand experience with the work of the Executive Committee. Their role is to set the agenda for the AC. It is a working committee that requires a lot of time and energy. The motion would make it a deliberative body which would change its role and its function in a way that is detrimental to its work.

Prof. Betsy Bowen spoke in favor of the motion. As Executive Secretary of the AC this year, she has firsthand experience with the work of the Executive Committee. Although it is true that the Executive Committee has never acted as a gatekeeper for the AC, it would be useful to have a structure that insures good communication and cooperation.
Prof. David Downie spoke from the perspective of a brand new faculty member, having come from an institution which had uneven faculty administration relations. Perhaps it would be strategically useful to put the AVP on as many committees as possible.

A vote on the main motion was conducted by secret ballot. Since the motion involves a Handbook amendment, passage requires approval by 2/3 of members present and voting.

**MAIN MOTION FAILED.** 99 in favor and 75 opposed.

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6. **Handbook Amendment to change the sections on Fiscal Policies and Instructional Policies.**

   **MOTION.** [Nantz] The General Faculty approves the text on pages 23-30 of this packet [for the General Faculty meeting on 5/14/2009] to replace the Fiscal Policies section II.B [and III. Faculty Services] of the Faculty Handbook contingent upon the administration’s acceptance for inclusion in the Journal of Record the Faculty Annual Merit Review and Self Evaluation, and the Board’s acceptance and the administration’s acceptance of the Memo of Understanding and Benefits Plan Overview passed by the GF on May 14, 2009.

Prof. Massey spoke against the motion, saying that it removes a lot of language from the Handbook and so it will no longer be protected from unilateral change. Moreover, the only thing faculty are getting in exchange is a linkage of standard merit to the increase in the cost-of-living which is not enough. We are losing a lot of protection in exchange for zippo.

Prof. Thiel responded to Prof. Massey’s comment that faculty are “only” getting standard merit tied to COLA. Maybe that’s not important to some faculty members, but it is a very big deal to others and a major concession on the part of the administration and the trustees.

Prof. DeWitt spoke against the motion. He noted that we are all looking to do what is best for faculty. He has no doubt that what the motion proposed would be very bad for faculty as it would remove from the Handbook key benefits and protections. We would be crazy to agree to take this language out of the Handbook. He continued to discuss whether or not there is a concession in linking standard merit to COLA, emphasizing that the faculty and administration already agreed to a linkage in the Guiding Principles for Faculty Compensation (GP) which read, “…sustained merit should reasonably allow faculty members to retain or increase buying power over the years. In time periods where increases cannot exceed cost of living, serious consideration should be given to judging only for sustained merit.” The agreement to link standard merit to COLA is less of a concession by the administration than some claim it to be since that linkage is in the GP, which are in the Journal of Record which the President earlier this year clarified as policy. We would be giving up an enormous amount of protection in exchange for not much that is new.

Prof. Joan van Hise clarified that the linkage does not guarantee raises over the increase in the cost-of-living.

Prof. Mousumi Bhattacharya spoke against the motion. It’s important that benefit details remain in the Handbook. Removing the details from the Handbook might mean that in the future, our
health plan could be unilaterally changed from Blue Cross/Blue Shield to another health plan. The protections are important – faculty colleagues worked hard and struggled to get these protections for us. If we vote to take these protections out of the *Handbook*, then they will be gone forever.

Prof. Bob Epstein likened the current proposals to a house of cards, arguing that a vote against the motion would be equivalent to pulling out cards. We must be cognizant of the fact that the Board will react to what we do. The proposals may be an enormous raw deal in which the faculty get shafted, but it is a product of negotiation with our subcommittee and the President has weighed in on the consequences of rejecting it. We should throw some bones.

Prof. David McFadden spoke in favor of the motion, hoping a vote in favor would influence the trustees. Our support on this will challenge the trustees going forward. He agrees with supporting principles and faculty would take a hit under this proposal, but he believes we should cost share on health benefits.

Prof. Sharlene McEvoy spoke against the motion. Speaking as an attorney, she said our *Handbook* is a contract. As such, we would be foolish to give up on it. She described the *Handbook*’s contractual status as “ironclad,” pointing out that if they were able, in fact, to take benefits out of the *Handbook* unilaterally, they certainly would have already done so.

Prof. Joy Gordon spoke against the motion. As an attorney, she agreed with Attorney McEvoy’s take on the contractual status of our *Handbook*. She also pointed out that the alternative motion has faculty cost-sharing for health benefit premiums and so this is not a decision between accepting cost-sharing or not. The administration has not shown good faith in the negotiations since their arguments were always backed up with threats and the ultimatum of unilateral action. Why would we cede control of benefit protections on a unilateral basis? We should not.

Prof. Vin Rosivach spoke against the motion. He asked the faculty to reflect on where the *Handbook* came from, how long we’ve had it (since the 1970s), our predecessors who wrote it and, especially, the fact that it was written for our benefit. At this time, it’s our turn to think of faculty not yet hired and think of our responsibility to faculty forty years from now. We should not vote to throw the protections away.

Prof. Massey pointed out her understanding from a DSB faculty meeting with EVP Weitzer that there have been no projections or analyses done by the administration with regard to any savings on health care costs.

**MOTION.** [Biardi] To call the question.
**MOTION PASSED.**

A vote on the main motion was conducted by secret ballot. Since the motion involves a *Handbook* amendment, passage requires approval by 2/3 of members present and voting.

**MAIN MOTION FAILED.** 62 in favor and 99 opposed.

### 7. Salary Committee Proposal to revise the Benefit Plans Overview
MOTION. [Nantz] The General Faculty approves the Benefits Plan Overview in this packet [for the GF meeting on 5/14/2009] on pages 31-47 and as amended per memo of 5/13/2009 Re: Changes to the Proposed Benefits Plan Overview for Full-Time Faculty [included in these minutes as Appendix C] and distributed at the 5/14/2009 General Faculty Meeting.

Prof. DeWitt pointed out that since the motion proposed in Item 6 had failed, that the current motion didn’t make sense.

MOTION WITHDRAWN.

10. Vote on Alternative Motion.

MOTION. [DeWitt] To revise section II.B.1.a of the Faculty Handbook (page 27 of current edition) to read:

The University provides, at no cost to the faculty member, an enhanced Health Care Plan....

It is understood that this motion is contingent upon the approval by the faculty and administration of (i) clause C of the proposed MOU and replacement of the “Health, Dental & Prescription Drug Insurance Coverage” section of the current BPO (appendix 1 of the current MOU) with the “Health Insurance” section (with minor revisions*) of the currently proposed BPO (pages 34-37 of the 5/14/09 General Faculty meeting packet), and (ii) approval of the proposed merit plan, including the “Distribution of Funds” paragraph (for inclusion in the Journal of Record).

*The minor revisions would be the removal of the last two sentences of the first paragraph of the “Health Insurance” section of the proposed BPO (these two sentences would conflict with other language in the handbook).

Prof. Rakowitz spoke in favor of the motion, describing it as a good compromise which had been rejected by the administration during the negotiations.

Prof. Mulvey spoke in favor of the motion. With this motion, the trustees will gain their long-stated goal of getting faculty to cost-share for health care premiums, the faculty get what they have all along said they would need in order to cost-share – a guarantee of no additional merit unless standard merit exceeds COLA -- since without this guarantee, any money moved from benefits to salary could be distributed very unfairly. The proposal is intended to be revenue neutral, at least at first, since faculty would get $2250 into base salary to offset cost-sharing costs. She said the alternative motion represents enormous progress and acceptance by the faculty of a significant part of the package. Be clear, though, that with this proposal the faculty are making an enormous concession since the figures for cost-sharing (no more than 10% and rate of increase less than 6% per year) are going into the BPO as opposed to the Handbook. She argued for these figures to go in the Handbook which would be the best situation for the faculty but has agreed to this concession. She doesn’t support this motion as the best motion for faculty, but will vote in favor of it.
Prof. John Thiel spoke in favor of the motion, describing it as very reasonable. He spoke of the high character and good heart of the administrators, President von Arx, S.J., and EVP Weitzer, with whom they had negotiated all year and was grateful for everyone’s hard work. With this motion the faculty accept cost-sharing on health benefit premiums which is something the faculty have not accepted for years. This move on the part of the faculty is one the administration should find reasonable and be able to accept.

Prof. Michael Tucker spoke in favor of the motion saying that, in his opinion, it is good economically for the faculty for three years.

Prof. Massey attempted to amend the motion in order to put the figures of cost-share less than 10% and rate of increase less than 6% per year into the Handbook. Prof. Mulvey interrupted with a Point of Order that any amendment to the Handbook must go to the Academic Council for its review and recommendation (per the Handbook) and so we cannot amend an amendment to the Handbook on the floor of a GF meeting.

**MOTION.** [Massey] To refer the alternative motion to the Academic Council.  
**MOTION FAILED.**

Prof. Nantz spoke in favor of the motion, pointing out that although we are now talking about cost-sharing for health care premiums, we have always paid for our health benefits with reduced salary increases. Now, we’ll have costs as individuals but health benefit costs have long been paid for by the faculty.

**MOTION.** [Buss] To call the question.  
**MOTION PASSED.**

A vote on the main motion was conducted by secret ballot. Since the motion involves a Handbook amendment, passage requires approval by 2/3 of members present and voting.

**MAIN MOTION PASSED.** 117 in favor and 30 opposed.


**MOTION.** [DeWitt] To add to the current Benefit Plans Overview [Appendix 1 of the 2008-09 MOU] the text on Health Insurance as it appears in the packet for the General Faculty meeting of 5/14/2009 on pages 34-37 (through Jesuit Health and Dental coverage), as amended on those pages and with the additional deletion of the last two sentences in the first paragraph on page 34.

There was clarification that the text intended for the BPO with the alternative motion is the text agreed to by the Faculty Salary Committee and the administration with the additional deletion of the last two sentences of the first paragraph (page 34 of the packet for 5/14 GF meeting), because these sentences conflict with other Handbook language. The language on pages 48-50 did not include some agreed upon changes and so the language being voting on is on pages 34-37 of the packet with the additional deletion of the first two sentences of the first paragraph on page 34. Delete, “This health plan will remain in effect for three years starting in September 2009, and ending in August 2012 unless the faculty and administration should earlier agree to change it.”
This three year provision shall survive the current MOU (2009-2010) but shall not continue beyond said three-year period.”

Prof. Manyul Im asked where the provision was for the $2250 into the base. Prof. DeWitt answered that it is in the MOU.

Prof. Walter Hlawitschka noted that his individual contract letter stipulates that his contract will be renewed “on the same or better terms”. But, cost-sharing for a family after the $2250 payment into the base will result in a $1500 loss of income. Has an attorney reviewed this to see if it’s a problem and a violation of current contracts? Prof. Nantz: It may be a problem.

Prof. Joy Gordon considered the question raised by Prof. Hlawitschka, saying that the contract letter does indeed say that the contract will be renewed on the same or better terms and, in fact, the health care costs are going up to our detriment. It raises an important concern, namely which of the two documents is dispositive?

Prof. Miner reiterated the point raised earlier by Prof. Nantz – if you think we are only now agreeing to pay for our health care you are wrong since we have been paying for health care all along.

**MOTION.** To call the question.

**MOTION PASSED.**

A vote on the main motion was conducted by secret ballot. The motion does not involve the Handbook, so passage requires only a simple majority and proxy votes are allowed.

**MAIN MOTION PASSED.** 125 in favor and 27 opposed.

**9. Proposed 2009-2010 Memo of Understanding**

**MOTION.** [Rakowitz] That the General Faculty accept the 2009-2010 Memo of Understanding [pages 56-59 of the packet for the 5/14 General Faculty Meeting and including, as Appendix 1, the Benefit Plans Overview as amended at 5/14 General Faculty Meeting in Item 8].

**MOTION PASSED.** 121 in favor and 21 opposed

Prof. Rosivach made a motion of thanks to our colleagues on the AC Subcommittee on Governance and the Faculty Salary Committee, which was followed by sustained applause.

A **MOTION** [Dennin] to adjourn was made, seconded and **PASSED** without objection.

The meeting adjourned at 5:35 PM.

Respectfully submitted,
Irene Mulvey
Secretary of the General Faculty
MOTIONS
MAY 14, 2009

3. Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (see pages 13-20)

MOTION: The General Faculty approves the Proposed Guidelines for Faculty Annual Merit Review and Self Evaluation included as pages 14-20 of this packet for inclusion in the Journal of Record.

4. Handbook amendment on the charge to the Faculty Salary Committee (see page 21)

MOTION: The General Faculty approves the text on page 21 of this packet to replace the language in the Faculty Handbook regarding the purpose and duties of the Faculty Salary Committee in section I.C.b.13.

6. Handbook amendment to change the sections on Fiscal Policies and Instructional Policies (see pages 23-30)

MOTION: The General Faculty approves the text on pages 23-30 of this packet to replace the Fiscal Policies section II.B [and III. Faculty Services] of the Faculty Handbook contingent upon the administration’s acceptance for inclusion in the Journal of Record the Faculty Annual Merit Review and Self Evaluation, and the Board’s acceptance and the administration’s acceptance of the Memo of Understanding and Benefits Plan Overview passed by the GF on May 14, 2009.

7. Faculty Salary Committee proposal to revise the Benefit Plans Overview (see pages 31-47.)

MOTION: The General Faculty approves the Benefits Plan Overview in this packet on pages 31-47 and as amended per memo of 5/13/2009 Re: Changes to the Proposed Benefits Plan Overview for Full-Time Faculty and distributed at the 5/14/2009 General Faculty Meeting

11. Amendments to the Faculty Handbook section on The Academic Council (see pages 60-65).

MOTION: The General Faculty approves the amendment to the language of the Faculty Handbook on the voting membership of the Academic Council [I.B.2] as described in this packet on pages 60-62.

MOTION: The General Faculty approves the amendment to the language of the Faculty Handbook on the Executive Committee of the Academic Council [I.B.10 and I.B.7] as described in this packet on pages 63-65.
Item 5 on the agenda for today’s General Faculty Meeting concerns an alternative motion passed by the Academic Council at the May 4 AC meeting. The Academic Council passed a motion approving the proposed change to section II.B.1 of the Faculty Handbook, contingent on the items noted in the motion.

The gist of the motion is straightforward. However, the specific language is complex. The reason for the complexity is that the relevant language is contained in a variety of documents, with some of those documents linked to others. The goal of this note is to explain the substance of the motion, while avoiding the complexities of the specific language of the motion.

Here is the substance of the motion: The Faculty accepts cost sharing on healthcare premiums as described in the “Health Benefits” section of the proposed Benefit Plans Overview. In particular, for at least the first three years, faculty will pay no more than 10% of the basic healthcare premium, and the faculty share will not rise by more than 6% per year (for at least those first three years). The Administration, in turn, agrees to the “Distribution of Funds” language as found in the proposed Guidelines for Merit Reviews (included in the packet for the GF meeting on 5/14 on page 20) and, in keeping with the assurance that at least initially, cost sharing is to be revenue neutral, $2,250 will be added to the base salary of each faculty member (see paragraph C of the proposed Memo of Understanding, included in the packet for the GF meeting on 5/14).

The motion itself is as follows:

MOTION:

To revise section II.B.1.a of the Faculty Handbook (page 27 of current edition) to read:

The University provides, at no cost to the faculty member, an enhanced Health Care Plan.

It is understood that this motion is contingent upon the approval by the faculty and administration of (i) clause C of the proposed MOU and replacement of the “Health, Dental & Prescription Drug Insurance Coverage” section of the current BPO (appendix 1 of the current MOU) with the “Health Insurance” section (with minor revisions*) of the currently proposed BPO (pages 34-37 of the 5/14/09 General Faculty meeting packet), and (ii) approval of the proposed merit plan, including the “Distribution of Funds” paragraph (for inclusion in the Journal of Record).

*The minor revisions would be the removal of the last two sentences of the first paragraph of the “Health Insurance” section of the proposed BPO (these two sentences would conflict with other language in the handbook).
Appendix C: Handout at 5/14/2009 GF Meeting

Date: May 13, 2009
From: Kathy Nantz, Chair, AC Subcommittee on Governance and President, FWC/AAUP; and Susan Rakowitz, Chair, Faculty Salary Committee
Re: Changes to the Proposed Benefits Plan Overview for Full-Time Faculty

On 5/11/09 we, along with Irene Mulvey and Rick DeWitt, met with the FWC attorney to review the language of the proposed Benefits Plan Overview (BPO) and Memo of Understanding (MOU). He suggested several changes (listed below) to the BPO, and no changes to the MOU. We brought all of the attorney's suggested changes to the administration and they accepted all of them. We therefore propose the following amendment to the distributed BPO. All page numbers refer to the 5/14/09 meeting packet. Insertions are underlined and deletions are struck through.

p. 33, 1st paragraph: Any changes in the benefits described in this document will be discussed by the administration and Faculty Salary Committee, and any disagreements will be resolved according to as per the process detailed in the Memo of Understanding. Unusual circumstances may necessitate changes to benefits during the year covered by the MOU. In such cases, the administration and faculty must agree on any changes.

p. 34, 1st paragraph: This health plan will remain in effect for three years starting in September 2009, and ending in August, 2012 unless the faculty and administration should earlier agree to change it. This three year provision shall survive the current MOU (2009-2010) but shall not continue beyond said three year period.

p. 42, top lines: Tuition Grant-in-Aid benefits for eligible dependent children will remain in effect for at least 10 years starting in September 2009, unless the faculty and administration agree to change them. This provision survives beyond the term of the current MOU.

p. 42, last paragraph: Recipients of a FACHEX scholarship will continue to receive the scholarship as long as their parent remains employed by the university during this time and subject to the provisions of the FACHEX program. This provision will survive beyond the term of the current MOU.

p. 43, 5th paragraph: Recipients of a Tuition Exchange scholarship will continue to receive the scholarship as long as their parent remains employed by the university during this time and subject to the provisions of the Tuition Exchange program. This provision will survive beyond the term of the current MOU.
Threshold issue re: 5/14/09 Fairfield University General Faculty “Meeting”:

I would like to raise a threshold issue on the basis of three concerns:

**First**, on 4/20/09 the Academic Council passed the following motion:

“**MOTION [Bhattacharya]. In the interest of due process that the Faculty Welfare Committee obtain legal consultation on the document presented to the Academic Council.**

MOTION PASSED: 14 in favor, 3 opposed, 0 abstentions”

Insofar as results of any legal consultation, including any written legal opinion(s), have not been shared with either the Academic Council or the General Faculty to the date hereof, any vote on the packet of documents before us – which packet of documents is substantively the same as the one presented to the Academic Council for its April 20, 2009 meeting – is premature.

**Second**, in relevant part, our own Faculty Handbook (at p. 3) states:

**I. FACULTY ORGANIZATION**

**I. A. THE GENERAL FACULTY**

**8. Provisions for Amendment**

“General Faculty approval [for amendments to the Faculty Handbook] is obtained by a two-thirds vote of those present and voting at a **regularly scheduled** meeting of the General Faculty.” [Emphasis added.]

Insofar as this is not a **regularly scheduled** meeting of the General Faculty, it is inappropriate for the faculty to vote on amendments to the Faculty Handbook.

**Third**, in relevant part, our own Faculty Handbook (at p. 1) states:

**I. FACULTY ORGANIZATION**

**I. A. THE GENERAL FACULTY**

**3. Meetings**

“Notice of faculty meetings with agenda shall, except in an emergency, be issued at least fifteen days in advance.”

Insofar as there is no emergency and the meeting notice and agenda for this meeting were issued on May 7, 2009 – a mere 7 days ago – this meeting of the faculty cannot be considered a bona fide Faculty Meeting and actions taken at this meeting cannot, therefore, be deemed valid.

Accordingly, I would like to make the following motion which is the only motion that is appropriate in light of the foregoing:

**MOTION:**

Until results of the legal consultation for which the Academic Council voted on April 20, 2009 are shared with the faculty and the matters before us can be voted upon at a regularly scheduled meeting of the General Faculty, after timely notice has been given by way of an agenda received at least 15 days in advance of the meeting, **I HEREBY MOVE TO ADJOURN THIS MEETING.**

[I would also ask that the vote on this motion be by secret ballot.]
Subject: Paul Huston’s Invitation to October Board Meeting
Date: Wednesday, September 23, 2009 10:33 AM
From: Allen, Charles, S.J. <Executive@fairfield.edu>
To: "Allen, Charles, S.J." <Executive@fairfield.edu>
Conversation: Paul Huston's Invitation to October Board Meeting

September 23, 2009

Ginny Kelly, Chair, Committee on Conference
Irene Mulvey, Secretary of the General Faculty
Kathy Nantz, Chair, Academic Council Subcommittee on Governance
Rona Preli, Chair, Academic Council
Susan Rakowitz, Chair, Faculty Salary Committee

Dear All,

On behalf of the Board of Trustees (the "Board"), I would like to invite each of you to meet with the Board on October 1 at 1:30 p.m. in Alumni House. We are extending this invitation to you in your elected capacity as Secretary of the General Faculty and as chairs of the four faculty committees that have been closely involved in the discussions and deliberations surrounding the issues that were raised by the Commission on Institutions of Higher Education of the New England Association of Schools and Colleges ("NEASC") and the subsequent report from the Blue Ribbon Commission on Governance. Please let me, or Father Von Arx, know in advance if you will be able to attend and if you would like to bring other representatives from your committees.

The Board is aware that the Conference with the Board of Trustees (the "Committee on Conference") is the Faculty Handbook committee appointed to represent the faculty, in any of their concerns, with the Board. Accordingly, the Academic Affairs committee of the Board will be inviting the Committee on Conference at their meeting earlier on October 1 to address the faculty’s concerns with the proposed amendments to faculty governance and fiscal policies.

We anticipate that some of you or your representatives may want to make statements to the Board. If you have any presentation materials, it would be most helpful if you would send them to Fr. Allen for distribution in advance of the meeting. After any statements, we would like to leave time for Trustees to ask questions. Please be aware that we have planned one hour for this agenda item.

I thank you in advance for your participation in this important meeting.

Sincerely,

Paul J. Huston
Chair of the Board of Trustees
I would like to thank the Chairman and Members of the Board of Trustees for inviting me to attend. I am grateful for this opportunity to meet the members of the Board and to dialogue about our shared concerns.

I was invited as the Chair of the Academic Council. The Council is the executive arm of the General Faculty and is empowered to consider, make decisions and recommendations on any matter of academic concern that falls within the purview of the faculty. As you know, the Academic Council also functions to allow for exchanges of opinion between faculty and administration on the workings of the university.

Over the past year, the Academic Council has been engaged in careful deliberation of the many issues of governance and compensation brought before them. These complex and difficult issues have comprised the bulk of the time and attention of the Council and have resulted in jam-packed agendas. Due to the weightiness of these issues, the Council called several additional meetings in the spring 2009, 2 emergency meetings in the summer, and since commencing the school year 3 weeks ago, has met twice. As you know, faculty members work on 9-month contracts so that they can pursue their research, scholarship, academic and course preparation and other professional activities during the summer months. Therefore, the willingness of the members of the Council to meet over the summer demonstrates the sincerity and deep commitment of our faculty to the full consideration and resolution of these issues.

Similarly, the members of the Faculty Salary Committee and the Subcommittee on Governance of the Academic Council met regularly with the administration throughout the summer in an attempt to reach resolution in the areas of governance and compensation. We are very grateful to our colleagues and to the members of the administration for all of their hard work and dedication. The commitment and diligence of all of my colleagues and the administrators who have worked so tirelessly over this past year fills me with pride and respect and reaffirms how well so many of the structures of our university are functioning.

In closing, let me thank you again for this opportunity to join in this discussion.
MEMORANDUM
Fairfield University

TO: Members of the Board of Trustees

FROM: Rick DeWitt, Executive Secretary, Academic Council
Irene Mulvey, Secretary of the General Faculty
Rona Preli, Chair, Academic Council

DATE: September 29, 2009

RE: Items to report to the Board of Trustees for October 1 meeting

Introduction.
We are writing in response to the invitation of 9/23/09 from Mr. Paul Huston and the Board of Trustees to submit materials in advance of our meeting on October 1st. As three of the faculty members invited to the meeting with the Board of Trustees due to our elected leadership positions, we have decided to write a single memo with our perspective as informed by our elected faculty offices. This memo reflects only our perspective and not necessarily that of the Academic Council or the General Faculty. We are grateful for the opportunity to share our thoughts with you.

This invitation provided us with an opportunity to review comprehensively all the work that has been undertaken in the recent past. We began by reviewing the University’s self-study, prepared in anticipation of the visit by the NEASC accreditation team, and, in addition, the NEASC visiting team’s report and the NEASC accreditation letter. We considered the report of the President’s Blue Ribbon Commission on Governance, the report of the President’s Faculty Handbook Working Group, the four reports from the Academic Council Subcommittee on Governance, and the work by our Faculty Salary Committee related to the work by the Academic Council Subcommittee on Governance. We considered the agendas, materials and minutes of our General Faculty meetings and the agendas, materials and minutes of the meetings of the Academic Council, the executive arm of the General Faculty, as well as official administrative and Board of Trustee responses to this work and these documents. We paid particular attention to the accreditation letter from NEASC of 4/29/2008 and its requirement for a report in Fall 2009 addressing specific issues, as well as NEASC’s standard requirement for a fifth-year interim report continuing to address these specific issues as well as a number of other issues. In this memo, we will focus on faculty issues, in general, and to the faculty issues that pertain to the report due NEASC in fall 2009.

Progress with regard to shared governance.
The amount of work done since the NEASC Visiting Team report in November 2007 and the NEASC accreditation letter in May 2008 is remarkable. To begin with, the Self-Study provided an honest and comprehensive look at the University at a particular point in time; the NEASC Visiting Team report was thoughtful and insightful, providing the University with issues of concern to be addressed, and President von Arx used the guidance in the Visiting Team’s report to charge his Blue Ribbon Commission on Governance. The appointed members of the BRC worked very hard under an extremely tight deadline to produce a thought-provoking and comprehensive report. Their report, and the President’s memo on their report to the faculty and staff of 6/12/2008 provided direction for further work, which was taken on by members of the faculty and the administration. Much of this work continues to this day.
So, the first point to be made is that a remarkable number of faculty members and administrative members worked very hard, and in good faith, to consider thoughtfully the issues raised by NEASC and to consider ways in which we might improve. The second point to be made, and one of which we might not be cognizant had we not taken the opportunity to review all the work done by the various groups, is that we have made genuine progress. Progress on some – not all – of the issues as we will detail below, but also some progress on the matter and process of University governance. True shared governance, as articulated by the AAUP in its *Statement on Government of Colleges and Universities*, is not easy to accomplish. But, when shared governance is working properly, constituencies talk to each other and work with each other as colleagues, with mutual respect and honest dialogue. We believe that the prospect for mutual respect and honest dialogue between faculty and administrators is on the horizon, although we are concerned that this prospect may not be fully realized due to the underlying threat of unilateral action by the Board that has informed all work on all major items all year. Given the progress we have made on the very difficult work of trying to reach mutual gains resolutions on issues where we simply may have fundamental disagreements and imagining a community in which threats are not used as a bargaining strategy, we believe true shared governance is possible at Fairfield.

**Progress on issues and progress on ongoing items.**

The following is a partial list of some of the items on which we have made progress that came to our attention from the NEASC report or the BRC. A comprehensive list of the items considered and acted upon by the Academic Council such as new programs, course scheduling and catalog policy, changes to the academic honesty policy, commencement practices, policies on minors, teaching evaluation instruments, graduate education issues, etc. can be found in the minutes of Academic Council meetings at www.faculty.fairfield.edu/gfs.

- We have in put in place, and amended the *Faculty Handbook* to describe, a new non-tenure-stream line, Professor of the Practice.
- The status of the *Journal of Record* has been affirmed by the President.
- A Journal of Record Group was put into place to review the *Journal of Record* and make recommendations to the Academic Council concerning items which need to be updated, modified or removed. They plan to complete their work and report to the Academic Council this fall.
- The process for electing department chairs in the College of Arts and Sciences was revised and the CAS governance document was updated accordingly.
- The primacy of academics and the academic division were acknowledged when the position of Academic Vice President was reconfigured to be the Senior Vice President for Academic Affairs.
- We had a successful search and hire for the new Senior VP for Academic Affairs. It is our understanding that the search committee with representatives from faculty, staff, administration, student body and Board of Trustees were pleased with the result and felt that the process was collegial and collaborative.
- We had an extraordinary meeting of the General Faculty on May 14, 2009, after final exams had ended, with nearly 200 faculty members in attendance where the faculty thoughtfully and carefully debated a “package” proposal brought to the faculty through the Academic Council by the Faculty Salary Committee and the AC Subcommittee on Governance. The faculty accepted some parts of the package and rejected others, some by a small margin and others overwhelmingly.
- The Faculty Salary Committee worked with the administration over the summer and the AC Subcommittee on Governance was charged by the AC to continue working with the
administration over the summer. Both committees brought proposals to the Academic Council at its first meeting on September 14.

It is important to acknowledge the progress that we have made on some items as well as the fact that we are currently in the middle of bringing major items to the General Faculty for their consideration. Faculty members were willing to work on these projects over the summer, despite the fact that summer is the only time available for long-term scholarship projects or other individual projects on teaching, research or service to the profession. We believe this says a lot about Fairfield’s faculty and their commitment to the University, the community, and shared governance.

Where we are right now.
As you know, the proposals from the Faculty Salary Committee (and, quite probably, some of the proposals from the Academic Council Subcommittee on Governance) will be brought to the faculty at the next regularly scheduled General Faculty meeting on October 23. Faculty opinion on the various proposals appears to be divided, as shown in the fairly narrow vote in the Academic Council. In our elected roles, we have attempted to get the proposals to the faculty as quickly as doing due diligence would allow. It is vitally important to us, as elected faculty leaders, that faculty are fully informed about all the proposals and their possible consequences. It is our responsibility to ensure that faculty have complete information and time enough to understand the proposals and their possible consequences. An essential element of a responsible deliberative body is that it be able to deliberate on proposals before it in an informed, thoughtful manner. It is only in this way that faculty at Fairfield can responsibly carry out their proper role in the overall governance structure of the university.

We do not know how the faculty will vote at the October General Faculty meeting, at which the key proposed fiscal and governance changes will almost certainly be debated and brought to a vote. But whatever the body's decision, we hope the administration and Board of Trustees will recognize it as the product of a deliberative body doing what it properly should do – inform itself on the issues, conscientiously weigh the considerations pro and con, and vote on the merits of the proposals before it. Faculty opinion on the proposals may be divided, but once a decision is reached by vote of the General Faculty, individual faculty members certainly will abide by this, as it is the decision of the faculty as a body.

It would be unfortunate and wrong for any decision to be seen as evidence of broken governance. Faculty will decide on the proposals, as they always have, based on the merits of these proposals. Given the attendance and participation of faculty at the extraordinary faculty meeting on May 14 and in anticipation of the same kind of attendance and participation on October 23, faculty decisions should be seen as evidence of a strong and robust, well-functioning faculty sector of the University, a model for NEASC according to NEASC’s own standards for organization and governance.

We remain deeply concerned about the explicit threat of unilateral action by the Board of Trustees to violate the Faculty Handbook. We need the Board of Trustees and senior administration to know that faculty are extremely upset at what they consider intimidation and threats concerning what might happen if the faculty either do not take action or, perhaps, take action with which the Board does not agree. Faculty expressed different opinions with regard to how to respond to the threat (as found, for example, in Faculty Welfare Committee/AAUP newsletters from last spring at www.faculty.fairfield.edu/fwc), but there was absolutely no doubt that faculty perceived that an attempt was being made to threaten the faculty. Perhaps there has been miscommunication, perhaps the lines of communication were not as clear as they could be,
but this kind of pressure undermines attempts to accomplish shared governance, establish mutual trust and exhibit professional respect. The specific process for amending the Handbook is precisely articulated in the Handbook (I.A.8). References to the Handbook language on the Board’s responsibility “to resolve matters of major policy where agreement cannot be reached through normal channels” cannot be used as a justification for unilateral amendment of the Handbook. As the Secretary of the General Faculty pointed out in a memo to President von Arx (6/18/2009), this section of the Handbook (I.A.1, paragraph 2) is under the heading “Educational Policies,” and refers only to educational policies. The major changes currently being discussed by administrative and faculty representatives, such as changes to the structure of the Academic Council and changes to fiscal policies, are not educational policies, and so the passage just cited does not apply to them. Changes to the Handbook are covered under section I.A.8, “Provisions for Amendment.” Faculty members have consulted some of the most respected attorneys in Connecticut specializing in law regarding non profits, and we are confident that this view of these passages from the Handbook is correct. It is essential that so major a misunderstanding be cleared up as soon as possible.

**Looking forward.**

We think that the faculty’s anticipated action on October 23 and the filing of the administration’s report to NEASC addressing (1) the completion of the review of governance processes and consideration of the recommendations of that review, (2) implementing goals identified in the strategic plan and establishing assessment mechanisms, should represent a milestone in our joint work on shared governance. We acknowledge that governance procedures and processes should be continually reviewed, as recommended by NEASC. At this time we think it would be best to focus our attention on improving what we do with regard to teaching, scholarship and service and working with the new Senior VP on other projects of mutual interest that will move the University forward and advance the initiatives in the strategic plan.

Thank you for the opportunity to provide you with input from our perspective as elected faculty leaders.
TO: Members of the Board of Trustees

FROM: Irene Mulvey, Secretary of the General Faculty Announcements

DATE: October 1, 2009

Thank you for this opportunity to meet with you, to make a statement and answer questions. In addition, thanks to all of you, on behalf of the General Faculty, for your dedication, commitment and contributions to Fairfield University.

I am especially pleased to be able to talk with you about faculty and faculty business at Fairfield. The last time I had an opportunity to meet with members of the Board was when I was invited to a meeting with the Academic Affairs Subcommittee on June 4 in New York. I left that meeting concerned about misunderstandings and I think it is important that we clear up any misunderstandings as soon as possible.

The Past: very brief review.

- Self-study and visit by NEASC accreditation team (fall 2007).
- NEASC visiting team report cited “contrasting narratives” on governance.
- A great deal of work was undertaken as outlined in our memo of 9/29/09.
- Work culminated in an extraordinary General Faculty meeting on 5/14/09:
  1. Faculty accepted a proposal to cost-share on health care premiums in return for some contingencies not objected to by the administration,
  2. A proposal to remove all details about compensation from the Handbook failed overwhelmingly,
  3. There was majority support for governance proposals, but not enough support to amend the Handbook.
- Email from President and statement from the Board on 6/12/09 suggested faculty would be asked to “reconsider” their vote in the fall.
- 6/18/09 I received from the President, following my request, a memo detailing exactly what motions were considered by the Board and the Board’s actions on those motions.
- In Summer 2009, the Academic Council (AC, the executive arm of the General Faculty) had two emergency meetings. At these meetings, we were given the impression that the President wanted to continue to work with the Faculty Salary Committee and the AC Subcommittee on Governance (ACSG) over the summer. The ACSG was formally re-charged by the AC to do so.
- The FSC and the ACSG worked with the administration over the summer. We owe them all an enormous debt of gratitude. Faculty work on nine-month contracts and summer is the only unstructured time for deep scholarship and work on other projects.
The Present:
At this time, we have revised proposals going forward. Faculty will consider these proposals, as mandated by the Handbook, first in the Academic Council and then at a meeting of the General Faculty. A proposal to amend the fiscal policies section of the Handbook passed the AC by a fairly narrow vote of 9 in favor, 6 opposed, 1 abstention.

I would like the trustees to know that faculty opinion appears to be divided. The subcommittees are recommending that faculty accept the proposals, but there are principled arguments as well as practical arguments against the proposals.

I would like the trustees to know that faculty are not selfishly cherry-picking for faculty-only interests. Our agreement to cost-share last May is evidence of this. It is unarguably true that having excellent benefits and having those benefits well-protected in the Handbook is vitally important tool for recruitment and retention of good, new faculty.

I would like the trustees to know that we have an incredibly dedicated faculty and that each and every faculty member is making a decision based on what they believe is best for Fairfield University. I appreciate the opportunity to have communication now, in advance of votes by the General Faculty, to that faculty decisions can be understood in context.

Whatever happens, it should not be taken as a sign of “broken governance”. Whatever happens, it should not be taken as a sign that “the faculty do not support the President” (this reaction surprised faculty meeting with the Board on June 4). Faculty will decide based on the merits of the proposals.

I would like to say that shared governance is alive and well at Fairfield, but I cannot unequivocally say so. Shared governance, as generally understood in higher education and as articulated by the AAUP, is alive and could thrive at Fairfield. However, all work last year took place under the cloud of threats and intimidation. There was never any doubt from any one on any of the committees that there was a threat of unilateral action by the Board. The only questions were how real is the threat and what exactly is the threat. (The vagueness of the threat added to the threat.) In my opinion, this has had a very negative affect on faculty. There is a simmering anger - threats, intimidation, bullying, possible unilateral action by the Board, combined with no contracts for the first time in something like 35 years – has left faculty understandably upset.. Remarkably, this anger has not affected faculty work – faculty continue to be totally dedicated to the University, the students, and our shared mission.

The Future:
The proposals will be debated and voted on by the faculty this fall. I have no idea what will happen. I urge the Board to accept the faculty’s decisions and let us all get on with the business of higher education at Fairfield and all it involves: our teaching, our research, and – especially at Fairfield – our deep and meaningful involvement in all aspects of the institution through our elected Handbook and other committees.
**With regard to our outstanding task from NEASC:**

As you know, NEASC requested that Fairfield “submit a report for consideration in Fall 2009 that gives emphasis to its success in 1) completing the review of its governance processes currently underway and implementing, as appropriate, the recommendations arising from that review; 2) implementing the goals identified in the University’s strategic plan and establishing mechanisms through which progress can be assessed;”

As far as governance, we’ve done exactly what they have asked us to do and we have documents and decisions which show this. Even under a cloud of threats, faculty and administration worked together cooperatively and collegially to review governance processes and implement recommendations, as appropriate. Meaningful and ongoing work continues to this day. After re-reading NEASC’s own standard on *Organization and Governance*, a report simply describing the work that has taken place since we received their letter on 4/08 would address their concerns completely. I suggest that the President and the Board communicate this to NEASC. The faculty will get on with our teaching, our research and our meaningful participation in all aspects of our University.
Subject: Thank you from the Board of Trustees  
Date: Tuesday, October 6, 2009 12:51 PM  
From: Paul Huston  
To: <dennin@fairfield.edu>, <rdewitt@fairfield.edu>,  
    <vkelley@fairfield.edu>, <mulvey@fairfield.edu>,  
    <nantz@fairfield.edu>, <rpreli@fairfield.edu>,  
    <srakowitz@fairfield.edu>, <jthiel@fairfield.edu>  
Cc: "von Arx, Jeffrey, S.J." <President@fairfield.edu>  
Conversation: Thank you from the Board of Trustees

Dear Faculty Representatives:

Thank you for attending the meeting of the Board of Trustees on October 1. The Board believes that they were able to hear your views on governance issues and fiscal policies. After hearing both from the faculty and the administration, the Board passed the following resolution:

Consistent with our fiduciary obligation to act in the best interests of Fairfield University, the Board of Trustees will, absent prior agreement between the administration and the appropriate faculty bodies on the proposals that were discussed today, act to resolve such disputes on or before our next scheduled meeting on December 3, 2009.

In essence, the Board is asking the faculty to vote on the proposals in a timely fashion. We trust that you will work with the administration to address these issues.

Sincerely,
Paul J. Huston  
Partner  
Hudson Ferry Capital
October 23, 2009
Agenda Item 4

**Background and chronology:**
In an attempt to provide background information to members of the General Faculty (GF), listed here is a timeline with background leading up to the presentation of the proposals from the Faculty Salary Committee which will take place at the General Faculty Meeting on 10/23/2009. For agendas and materials for the meetings, and minutes of the relevant meetings, see the following:

- www.faculty.fairfield.edu/gfs/gfmeetings08_09.htm for General Faculty meetings in 08-09
- www.faculty.fairfield.edu/gfs/ac08_09.htm for Academic Council meetings in 08-09
- www.faculty.fairfield.edu/gfs/gfmeetings09_10.htm for General Faculty meetings in 09-10
- www.faculty.fairfield.edu/gfs/ac09_10.htm for Academic Council meetings in 09-10

**3/13/2009: General Faculty Meeting**
An informational report from the Faculty Salary Committee (FSC) on merit pay and housing was presented.

**4/3/2009: General Faculty Meeting**
The Academic Council Subcommittee on Governance (ACSG) and the FSC, in tandem, had been working with the administration. An informational joint report from the FSC and ACSG was presented.

**4/6/2009: Academic Council Meeting**
The ACSG and the FSC, in tandem, had been working with the administration. The ACSG presented a report to the Academic Council (AC), dated 4/6/2009, that contained a number of suggested recommendations involving fiscal policies and the *Faculty Handbook*, merit pay compensation vis-à-vis increase in the cost-of-living, etc. The AC did not take action on the recommendations, but did vote to send the report to the GF for their information.

**4/20/2009: Academic Council Meeting**
A joint report from the FSC and the ACSG was presented. It contained proposed formal amendments to the Fiscal Policies and the Faculty Policies sections of the *Faculty Handbook*, Guidelines for Merit Review and Self-Evaluation, draft Memo of Understanding (MOU), draft Benefit Plans Overview (BPO). The Council discussed the proposals at length. When the AC ran out of time, the AC recessed the meeting until 4/27, and voted to send all the documents to the GF for the 4/24/09 GF meeting, so that faculty could become informed as the recommendations made their way through the AC and to the GF.

**4/24/2009: General Faculty Meeting**
An informational joint report from the FSC and the ACSG was presented. First there was an opportunity to ask specific questions, then there was an opportunity for faculty members to provide input and advice.

The AC continued where they had left off on 4/20. The AC passed a motion to send the Proposed Guidelines for Faculty Annual Merit Review and Self Evaluation to the GF with a recommendation to approve.

After dealing with the preliminary agenda items, the AC continued with the proposals from the ACSG/FSC. The Academic Council voted to not approve a proposed amendment to the Faculty Handbook which would remove details of fiscal policies and faculty services from the Handbook. The AC passed an “alternative motion” in which faculty would agree to cost-share on health care premiums in return for “no additional merit unless standard merit is above cost-of-living”, a limit on how quickly our health care costs can increase for the next three years, and $2250 into the base salary to make cost-sharing revenue neutral, at first.

5/14/2009: General Faculty Meeting
At an extraordinary meeting of the General Faculty, after final exams, the GF took action on the proposals from the FSC. (See items 3-10 on the 5/14/2009 GF agenda.)

- Item 3. The GF passed the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation. This was rejected by the administration for inclusion in the Journal of Record.
- Item 4. The GF passed a proposed Faculty Handbook amendment to revise the charge to the Faculty Salary Committee. This amendment was not approved by the Board of Trustees.
- Item 6. The GF rejected the proposed Faculty Handbook amendment to remove details of fiscal policies from the Handbook.
- Item 10. The GF passed an “alternative motion” in which faculty would cost-share for health care premiums in exchange for (1) “no additional merit pay unless standard merit pay exceeds the increase in the cost-of-living”, (2) limits on how quickly cost-share amounts could increase for three years, (3) $2250 into the base in order to make cost-sharing revenue-neutral, at first. The alternative motion was not accepted by the Board of Trustees.
- Item 8. The GF passed a Memo of Understanding and a Benefit Plans Overview consistent with the motion in item 10 (above). The MOU and BPO were not accepted by the administration.

6/12/2009:
The President sent an email to the General Faculty with a statement from the Board of Trustees attached explaining the actions of the Board at the Board meeting on 6/4/2009. See www.faculty.fairfield.edu/gfs.

Summer, 2009:
The Faculty Salary Committee worked with the administration over the summer and drafted revised proposals.

9/11/2009 General Faculty Meeting:
Time was allotted for Q&A with the FSC on their proposals making their way through the AC and to the GF.

9/14/2009 Academic Council Meeting:
Even with an incredibly full agenda, the FSC began a report on their new proposals and put a motion on the floor. When the AC ran out of time, the meeting was recessed to reconvene on 9/21.

9/21/2009: Academic Council meeting of 9/14/2009 reconvened on 9/21:
The motion to recommend that the GF amend the Handbook section on fiscal policies was thoroughly discussed and debated. The AC voted to approve the motion (9 in favor, 6 opposed, 1 abstention). The AC passed a motion recommending that the GF approve the Guidelines for Merit Review and Self-Evaluation (14 in favor, 1 opposed, 1 abstention).

Date: October 7, 2009
To: General Faculty  
From: Faculty Salary Committee*  
Re: Fiscal Policies Compromise Proposal

This document explains the compromise agreement the Faculty Salary Committee (FSC) has reached with the administration regarding fiscal policies. As explained below, we anticipate three separate but ultimately interconnected votes— one on the university-wide merit proposal, one on the proposed Memo of Understanding (MOU) and its appendix, the Benefits Plan Overview (BPO), and one on the proposed amendment to the Fiscal Policies section of the Handbook. As has been the case for many years, the MOU comes to the General Faculty directly from the FSC. The other two items are coming to the Faculty with the recommendation of the Academic Council.

What follows is an overview of the documents related to the three votes. We have tried to be clear about how they fit together and how they represent a compromise from the package rejected by the faculty last May. Each section is preceded by the specific motion the FSC intends to make at the General Faculty meeting.

To help work through the texts, the materials also include a "Roadmap to the Proposed Changes" (pages 32-33), a version of which was distributed prior to the 9/11/09 General Faculty meeting. The attached version includes page numbers indicating where in the 10/23/09 General Faculty meeting packet the relevant texts can be found. Items listed as “remaining in the Handbook” were items the Administration previously wanted moved from the Handbook to the Benefits Plan Overview. The faculty rejected that proposal last May, but we include the changes proposed then to illustrate areas of compromise in the new proposal.

I. Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation

Motion: the General Faculty approves the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, included as pages 34-41 of the packet for the 10/23/09 General Faculty Meeting, for inclusion in the Journal of Record.

This proposal for university-wide merit guidelines was overwhelmingly passed by the faculty last May. The attached document is identical in substance to that passed by the faculty in May. The only change is that a paragraph on distribution of funds has been edited to clarify some imprecise language: references to “the salary pool” have been changed to “the increase in the salary pool.” The administration did not approve these Guidelines for inclusion in the Journal of Record last spring because of the final paragraph, which guarantees no further merit in a given year unless the standard merit increase is above the increase in cost of living (CPI-U). We expect that the administration will accept the Guidelines, including the last paragraph, if the Fiscal Policies section of the Handbook is amended as described below. The Proposed Guidelines were passed by the Academic Council on 9/21/09. They need reaffirmation by a simple majority to pass the General Faculty.
The FSC feels that the CPI paragraph is an essential piece of the current compromise. If the faculty agrees to cost-share health insurance premiums, and that agreement results in a decrease in the University's contribution to faculty benefits, those savings may have to be returned to the faculty in salary in order to meet the university's commitment to maintain faculty compensation (i.e., salary plus benefits) at or above the 95th percentile of AAUP institutions in our category. (The 95th percentile guarantee is in the MOU.) The FSC believes that the CPI clause makes it significantly more difficult for the administration to meet their commitment to the 95th percentile by distributing salary monies to only a handful of faculty at each rank.

II: Proposed 2009-2010 Memo of Understanding (MOU).

Motion: the General Faculty approves the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the packet for the 10/23/09 General Faculty meeting), contingent upon the approval by the faculty and the Board of Trustees of the Proposed Amendment to the Fiscal Policies section of the Handbook (pages 72-73 of the packet for the 10/23/09 General Faculty meeting) and the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record.

The proposed MOU is included in a clean version (pages 47-51) and a version that shows changes from the 2008-2009 MOU (pages 42-46). The MOU includes an increase to base salary of $2,250 per faculty member (for those who have not already been compensated for voluntarily switching to cost-sharing of healthcare premiums).

The MOU is followed by the proposed Benefits Plan Overview (BPO) (pages 52-68), an Appendix to the MOU. The BPO, which calls for any future changes in benefits to be “agreed upon by the administration and Faculty Salary Committee,” includes many new details about benefits. Some of these details were not previously documented anywhere accessible to faculty. Most significantly for the proposed compromise, the BPO includes:
1. details of cost-sharing of healthcare premiums
2. details of life insurance coverage
3. agreements to increase the provided life insurance maximum by 50%
4. agreements concerning the university's contribution to the faculty retirement accounts
5. agreements to maintain current retirement contributions for at least three years
6. agreements that limit the rate at which health insurance premiums can increase over the next three years.

The MOU, which includes the BPO, needs a simple majority in order to pass the General Faculty. Because it reflects elements of the compromise that contradict the current Handbook text, its acceptance is necessarily contingent upon the changes to the Handbook that we will vote on next.
III. Proposed Amendment to the Fiscal Policies section of the Faculty Handbook.

Motion: the General Faculty approves replacing the Fiscal Policies section of the Faculty Handbook (II.B.) with the text found on pages 72-73 of the packet for the 10/23/09 General Faculty meeting, contingent upon the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record, and the acceptance by the administration and the Board of Trustees of the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the 10/23/09 packet).

The Amendment to the Fiscal Policies section of the Faculty Handbook is found on pages 72-73, with a track changes version on pages 69-71. The proposal replaces the current Fiscal Policies section of the Handbook. It is at the heart of the compromise reached between the FSC and the administration. It is presented as a single motion because it was negotiated as such. In exchange for: removing "at no cost" from the description of faculty health insurance; moving the specification of the amount of the university's contribution to faculty retirement accounts from the Handbook to the BPO; and moving the details of faculty life insurance coverage from the Handbook to the BPO, the faculty is getting:

1. an increase to base salaries of $2,250 for those who have not already received a salary increase for switching to cost-sharing (detailed in the MOU)
2. the agreement in the merit plan regarding CPI (explained above)
3. an increase of 50% in the provided life insurance maximum (detailed in the BPO)
4. a three-year agreement not to change the university's contribution to faculty retirement accounts (detailed in the BPO)
5. a more detailed BPO (noted above)
6. a three-year agreement limiting the rate at which health insurance premiums can increase (detailed in the BPO)

As a Handbook amendment, this motion passes only with a two-thirds majority of faculty members present and voting at a regularly scheduled meeting of the General Faculty.

*David Crawford
Joseph Dennin
Rona Preli
Susan Rakowitz (Chair)
Cheryl Tromley
Commitment to the 95th percentile

- The statement, "The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations," remains in the Memo of Understanding (MOU) (page 48).
- In general, this means that reductions in benefits would have to be compensated for by increases in salaries.

Benefits Plan Overview for Full-Time Faculty (BPO)

- The BPO, which contains specific information about various faculty benefits, continues as an appendix to the MOU (pages 52-68). With the change in the Handbook charge to the Faculty Salary Committee, its details will be subject to faculty review annually along with the MOU.
- The BPO includes details (regarding prescription coverage, Fachex, Tuition Exchange and so forth) that were previously only available in plan documents or orally from the Office of Human Resources. Any changes in those details must now come before the faculty via the Faculty Salary Committee (page 54).

Health insurance

- A guarantee of coverage through the Blue Cross-Blue Shield Century Preferred Plan or its equivalent remains in the Handbook (page 72).
- The phrase "at no cost" is deleted from the Handbook's description of faculty health insurance (page 69).
- As faculty move to cost-sharing, their base salaries will increase by $2250 over two years, so that the shift is, at least initially, revenue-neutral across the faculty. This increase is spelled out in the MOU and is incorporated in the minimums of the ranks in the MOU, so that it will be included in all future promotions (pages 42-43).
- The administration will accept the negotiated merit plan for inclusion into the Journal of Record, including the paragraph guaranteeing that there will be no additional merit unless standard merit is above CPI (pages 34-41)
- The BPO houses specific health care policies. It specifies that for 2010, 2011 and 2012, faculty will pay no more than 10% of basic healthcare premiums. However, no matter how quickly the total premium increases, the cost to the faculty cannot increase more than 6% annually. This 3-year cap on the rate of increase also applies to the costs of optional enhancements in healthcare coverage (page 56).
- The outdated language of a separate "major medical plan" is deleted from the Handbook. The health insurance plan described in the Handbook includes both basic and what used to be called major medical coverage (page 74).

Retirement
• The listing of TIAA/CREF and Fidelity as providers of retirement plans remains in the Handbook (page 72).
• The specification that the university's contribution to faculty retirement plans is 10% of base salary is moved from the Handbook to the BPO (page 58).
• The BPO indicates that the university's 10% contribution will not change over the next three years unless the faculty and administration agree to a change (page 58).
• Language describing the university's necessary adherence to federal regulations (e.g., regarding which employees are eligible for retirement benefits) is moved from the Handbook to the BPO (page 58).
• Outdated language stating that participation in the retirement plan is "mandatory" is deleted from the Handbook (page 75).

Life insurance (page 58)
• Details of the life insurance coverage are moved from the Handbook to the BPO.
• The university provided life insurance maximum is increased from $100,000 to $150,000.

Tuition program for children of faculty remains in the Handbook.

Other Handbook changes
• The only changes to the sections on leaves, sabbaticals, consulting and travel are that "Academic Vice President" is changed to "Senior Vice President for Academic Affairs".
• The section on Faculty Services remains intact.
Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, 9/21/09

Faculty members will take part in annual merit evaluation and self-assessment by writing three short essays, one each on teaching, scholarly and/or creative activities, and service. The essays should inspire reflection on the year’s achievements and suggest areas for improvement. Schools or curriculum areas may request that evidence be appended to the essays, e.g., teaching evaluations, new pedagogical materials or reprints of published work. The essays and appended materials will constitute the application for merit pay increases. In addition, faculty members will receive qualitative feedback on their performance from their chairs, program area directors, or a duly constituted committee.

This document describes the process and provides guidelines for writing the essays. There will be three potential levels of merit: “standard” and two levels beyond this (called “additional” and “extraordinary”). Whether merit is actually awarded in a given year will depend on budget considerations, but the yearly assessment should be done regardless of the status of the budget.

Below you will find an overview of what might constitute standard, additional and extraordinary merit in the three categories of teaching, scholarship/creative activity, and service, and additional detail on how to submit the assessments.

Standard Merit

Standard merit is a threshold that the great majority of faculty should be able to achieve annually. Because Fairfield University recognizes that effective teaching is critical to our mission and a fundamental promise that we make to our students, each faculty member must make a case for teaching effectiveness. In addition to demonstrating professional and quality engagement with teaching, the standard merit threshold requires a positive professional contribution in scholarly/creative activity or service. The evaluation period for standard merit is the calendar year.

Further Merit

Further merit is characterized by two levels, additional merit, and extraordinary merit. The differentiation among the levels is determined by the standards of the curriculum area according to the quality, impact, prestige, reach, difficulty, and/or rarity of the accomplishments. The lists below reflect some examples that distinguish among standard, additional, and extraordinary merit. These are not checklists but guides. The emphasis should be on the positive, professional contribution the faculty member has made through the activity.

The evaluation period for further merit includes all calendar years since further merit was funded by the salary pool.
The lists below indicate the types of achievements and activities appropriate to each level of merit. As stated above, Standard Merit requires sufficient achievements or activities in teaching and one other area. To earn Additional Merit, the faculty member must demonstrate achievements at the Additional level in two areas and the Standard level in the third area. Extraordinary Merit requires achievements at the Extraordinary level in one area and at the Additional level in the other two areas.

The Application: Essays on Teaching, Scholarly/Creative Activity, and Service

There is a single application for all three levels of merit. It will comprise three short essays (or annotated lists) in the areas of teaching, scholarly/creative activity, and service (though only achievements in teaching and one other area are required for the standard merit threshold). Schools or curriculum areas may request appended information that supports the essays. If the faculty member has no activities or achievements to discuss regarding either service or scholarly/creative pursuits, that essay should be devoted to plans for that area. Candidates should have flexibility in making their case, and the arguments should be primarily qualitative because they are meant to inspire reflection. Each essay should be focused and concise, no more than 250 words or one double-spaced page. Each essay should discuss important highlights in that particular area and not be a detailed list of every activity. In years when there is further merit, the faculty member will specify the level of merit for which he or she is applying.

Below are some guidelines for what could be included in the three essays. The examples listed are not intended to be exhaustive or used as checklists; rather, they are illustrations of typical or common activities in the three areas. Within each area, activities that qualify a faculty member for a higher level include qualification for any lower level.

Note that the relative importance of the three areas within the review is reflected by their ordering. That is, consistent with the norms of the profession and the mission of the university, teaching is the most important thing we do, followed by scholarly/creative accomplishments, and then by service. However, individuals may emphasize different areas at different points in their professional lives.

The structures above reflect campus-wide values for teaching, scholarship and service in order to achieve standard merit. However, schools and curriculum areas differ in their disciplinary approaches to pedagogy and scholarship, accreditation requirements, and even service needs based on the size of the school. These differences may have an impact on the determination of merit through the addition of items in the bulleted examples below and through the merit review process itself.

Examples of Activities in Support of Merit
Teaching:

Teaching includes curriculum design and review, classroom instruction, quality advising, clinical/practicum supervision, close work with students outside the classroom, assessment of learning outcomes, and work that contributes to the improvement of teaching at the university. To qualify for standard merit in teaching, the faculty member must fulfill the relevant duties specified in the Handbook and provide evidence of active engagement in quality teaching. These duties include: preparing, administering and grading exams; directing, grading and discussing papers and projects; submitting grades in a timely manner; maintaining office hours; and beginning and ending classes on time (Handbook, sections C.1.a, b, c, and d).

Besides meeting these basic professional responsibilities, the faculty member must make the case for being actively engaged in quality teaching. The member should have teaching evaluations that support the case for teaching effectiveness, and the lists below contain some of the additional standard ways to demonstrate teaching effectiveness. The essay and supporting materials are not limited to these activities, and should emphasize how the activity contributes in a positive way to teaching in the department or program and at the university. Finally, where teaching evaluations are relatively weak, the essay should include explanations and plans for addressing any weaknesses.

Teaching effectiveness and contributions in the area of teaching should comprise the most significant part of any annual review.

Typical activities that, done well, might demonstrate achievement of Standard Merit:

- Consistently strong teaching evaluations (benchmarked by discipline, course level, and other considerations).
- Developing a new course or substantially revamping an existing course to meet program or university goals.
- Teaching a course that is significantly more labor intensive than a typical course in the curriculum area.
- Supervising an intensive student learning experience outside the traditional classroom (e.g., independent research, clinical/practicum supervision).
- Serving as the director of a master’s thesis or project.
- Incorporating ideas from the Center for Academic Excellence or other pedagogical workshops into teaching.
- Above average student advisement load.
- Other activities that contribute significantly to effective teaching.

Activities that, done well, might demonstrate achievement of Additional Merit:

- Consistently very strong teaching evaluations (benchmarked by discipline, course level, and other considerations).
- Participating in peer review with colleagues in other departments or significant mentoring of others’ teaching.
• Innovative advising and/or unusually heavy advising load.
• Directing student research teams.
• Teaching that contributes to institutional initiatives (e.g., team teaching, interdisciplinary teaching, cluster course teaching, service-learning, or teaching in conjunction with a residential learning community).
• Developing and/or maintaining clinical or other placement sites.
• Contributing substantially to a program self-study, or academic assessment or accreditation activity in a curriculum area.
• Other comparable achievements that contribute significantly to effective teaching.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

• Consistently superior teaching evaluations (benchmarked by discipline, course level, and other considerations).
• Contributing significantly to the institutional culture of reflective practice and peer review of teaching.
• Significant mentoring or unusually intensive work with students outside class or beyond the usual teaching load.
• Leading a program self-study, or academic assessment or accreditation activity in a curriculum area.
• Receiving a teaching award.
• Other comparable achievements that contribute significantly to effective teaching.

Scholarly/Creative Activity:

It is the responsibility of all professional scholars to participate in their academic communities, through innovation, application, and dissemination of scholarly work. The Handbook specifies forms of participation in the scholarly and professional community, namely: “Involvement in scholarly research or other professionally recognized creative activities; active participation in professional societies and educational organizations; and keeping abreast of current developments in one’s field” (Handbook, sections C.1.h, j, and k). The lists below contain some of the standard ways to demonstrate this active participation. Again, the essay is not limited to the activities listed below and should emphasize how each activity makes a positive professional contribution and enhances the university.

Evidence of and commentary on scholarly and creative contributions to one's field should comprise a significant portion of any annual review.

Typical activities that, done well, might demonstrate achievement of Standard Merit:

• Contributing in peer reviewed publications or creative works relevant to one's discipline or field.
• Presenting at a professional conference or meeting.
• Serving on a panel, roundtable, or special session at a professional meeting.
• Serving as a reviewer for a scholarly journal or professional society.
• Participating regularly in an ongoing scholarly or professional seminar.
• Serving as a reviewer of a tenure application at another institution.
• Communicating academic findings or contributing one's academic expertise to public dialogue through publishing, presenting, media commentary, or task force participation.
• Maintaining clinical licensure or certification relevant to one’s professional program.
• Other significant activities that demonstrate contributions to the candidate’s discipline or field.

Activities that, done well, might demonstrate achievement of Additional Merit:

• Publishing a peer-reviewed article in a mid- to top-level journal, chapter, or equivalent in exhibit or performance.
• Leading a scholarly or professional workshop or seminar.
• Organizing a significant panel or program for a professional meeting or for a public forum for which one's academic expertise is needed.
• Giving a notable invited address or similarly notable exhibit.
• Making a scholarly contribution to the professional organization.
• Serving on the editorial board of a peer-review journal or publication series.
• Procuring external funding for one's research.
• Preparing and submitting a well-reviewed, but unfunded, major external grant proposal.
• Other comparable achievements that demonstrate scholarly/creative contributions to one's field.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

• Publishing a book that has been subject to some form of peer review, article in a top-tier journal or equivalent in exhibit or performance.
• Giving a major invited address or keynote at a major meeting.
• Planning and leading the program for a major scholarly meeting.
• Receiving a major grant from an outside funding source.
• Serving as editor of a peer-review journal or publication series.
• Receiving an award for research or similar recognition from one's academic peers.
• Other comparable achievements that demonstrate scholarly/creative contributions to one's field.

Service:

Service to the institution, at the level of departments, schools, or the university, is a vital aspect of our professional responsibility. The *Handbook* specifies basic forms of service to the institution namely, “Attendance at and participation in general faculty and curriculum area meetings; attendance at commencement, convocations and other
functions at which the Academic Vice President may request attendance; and service on, and cooperation with, University and curriculum area committees” (Handbook, sections C.1.e, f, and g). Besides fulfilling these basic obligations, faculty members who want to qualify for merit in this area must demonstrate active participation in shared governance and promoting the well-being of the institution.

The lists below contain some of the standard ways to demonstrate active membership in the life of the university and/or the profession. Again, the essay is not limited to these activities and should emphasize how the activity makes a positive contribution to the institution and/or the profession.

Typical activities that, done well, might demonstrate achievement of Standard Merit:

- Actively serving on university, school, or department committees.
- Service to a professional organization.
- Organizing campus events.
- Ongoing volunteer community service that fits the mission of the university.
- Actively participating in recruitment, admission, and retention of students.
- Other activities that contribute significantly to the university or the profession.

Activities that, done well, might demonstrate achievement of Additional Merit:

- Chairing a department or directing a program.
- Serving the department, school, university and/or the profession in a significant way through participation on committees.
- Holding and fulfilling the responsibilities of a formal office in a professional association.
- Contributing substantially to the non-academic elements of an accreditation activity.
- Significant participation in the admissions process (e.g., reviewing applications, interviewing applicants, and contributing to the admission decision).
- Participating on a major university or school task force or equivalent.
- Other comparable achievements that demonstrate service to the institution and/or profession.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

- Providing major leadership to faculty and shared governance or making a particularly significant contribution through committee leadership.
- Providing leadership for a major university initiative.
- Holding a major leadership position in a professional organization.
- Leading the non-academic elements of an accreditation activity.
- Receiving a major service award from the university, professional society, or civic body.
• Other comparable achievements that demonstrate service to the institution and/or profession.

Support for any activity in the form of a course release, a university or school stipend, or other university funding for the work should be disclosed in the essays. Significant remuneration for an activity may be considered by the curriculum area head or merit committee to reduce the impact of the activity in the merit review.

**Application Process Guidelines:**

- The lists are not intended to be checklists but rather used as guides for faculty members to contemplate and present their significant accomplishments for the year. Schools and departments may expand upon items in the various lists and/or add to the lists those items appropriate to their disciplines and should maintain and distribute the revised list. However, because these lists reflect the activities that the institution as a whole values, schools or departments may not remove any items, although some items may receive greater or lesser emphasis consistent with disciplinary distinctions or programmatic and curricular goals.

- In applications, the emphasis should be on the quality of the work and how it reflects the faculty member's productive engagement with his or her department, school, university or profession.

- Because they are already extensively reviewed each year and they should be focused on longer-term, rather than annual, goals, untenured, tenure-track faculty members automatically qualify for standard merit in their first three years as long as their contracts are renewed. In years when further merit is available, they may apply for it. In addition, the merit assessments for untenured, tenure-track faculty should recognize that they do not have as many opportunities for leadership in service as tenured faculty do.

- By a specified due date each faculty member will submit her or his application to the head of the appropriate curriculum area or a committee within the area or school. The head or committee will make a recommendation to the appropriate dean as to what level of merit the candidate qualifies for. After the dean makes a final decision, the head or committee will communicate this decision to the faculty member. Individuals (whether the head of a curriculum area or on a committee charged with making merit recommendations) may not make recommendations regarding their own merit application.

- The annual review process should be summative for the purposes of awarding merit, but also must be formative. Each faculty member should receive feedback from the appropriate administrator (department chair and/or dean) indicating areas in which the faculty member can improve as well as areas in which he/she is doing well. This feedback should include constructive ideas for how this
improvement might be accomplished and consideration of the support that is available to enable those improvements.

- The role of the Deans and the Senior Vice President for Academic Affairs will be to ensure that the results of the merit process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas. At the same time, the assessment of these results must be cognizant of distinctions in disciplinary approaches and programmatic and curricular goals.

- An appeals process will be developed by the joint Salary Committee (FSC and administrative team) in collaboration with the Deans and SVPAA prior to the first implementation of this plan.

**Distribution of Funds**

If the increase in the salary pool is at or below the increase in the cost of living (CPI-U), the entire increase in the pool will go to Standard Merit. If the increase in the salary pool is above the increase in the cost of living, then the percent going to Standard Merit will be cost of living plus one quarter of the remainder of the increase in the pool. Standard Merit will be distributed to recipients as a percent of salary or of the mean of the rank, whichever is greater. Additional and Extraordinary Merit will be distributed in such a way that each faculty member who receives Extraordinary Merit in a given year will receive the same dollar amount, and it will be twice the amount awarded to each recipient of Additional Merit.
Memo of Understanding
Faculty Compensation (Salary and Benefits)
2008-2009-2009-2010

After collegial discussions, the Faculty Salary Committee and the Administration have agreed to recommend to the General Faculty for ratification and to the Budget Committee for inclusion in the budget that they submit to the President and the Board of Trustees the following compensation package.

It is understood that if accepted by the General Faculty and Budget Committee and subject to the final approval of the Board of Trustees, through its adoption of the annual budget, all faculty appointments and compensation shall be in accordance with the provisions set forth herein (including the Benefits Plan Overview for Full-Time Faculty) and in the Faculty Handbook as currently amended. All individual, annual letters of appointment will be in accordance with the compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

In the event that either the General Faculty or the Budget Committee raise objections to the recommended compensation changes, the Faculty Salary Committee and the Administration will hold further meetings with the intention of resolving the objections. In the absence of a resolution, the Annual Budget adopted by the Board of Trustees shall be final regarding faculty compensation for the ensuing academic year. In this case, the Administration will provide the Faculty Salary Committee with the revised information called for in this document. All individual, annual letters of appointment will be in accordance with the revised compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

Recommended Salary and Benefit Changes.

A. All faculty will receive compensation and benefits in accordance with the provisions set forth below.

B. The salary pool will be an increase of 3.50% of the faculty 2007-2008-2008-2009 salary pool. All salary increases are based on an evaluation of performance according to the criteria of the various school plans merit plan.

C. Sustained merit is set at 2.5%. Faculty who qualify for sustained merit will receive an increase of 2.5% of their salary or 2.5% of the mean of their rank, whichever is greater. Faculty who do not qualify for sustained merit will receive no increase. All faculty who have not previously switched to cost-sharing of healthcare premiums will receive a salary increase of $2250 spread out over two years. They will receive $1500 in 2009-2010 and $750 (plus the 2010-2011 standard merit increase on $750) in 2010-2011. Faculty who voluntarily switched to cost-sharing previously will receive an increase of $200.
D. 1. The 2007-2008-2009 mean for each rank and the increases of 2.5% for each mean are:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Mean</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>$105,746,109,082</td>
<td>$2,644</td>
</tr>
<tr>
<td>Associate</td>
<td>$83,125,864,413</td>
<td>$2,078</td>
</tr>
<tr>
<td>Assistant</td>
<td>$65,662,69,221</td>
<td>$1,642</td>
</tr>
<tr>
<td>Instructor</td>
<td>$49,535,50,249</td>
<td>$1,238</td>
</tr>
</tbody>
</table>

2. The further merit pool will be 1.0%. Each school will receive a proportion of this pool equal to the proportion of tenure-track faculty members in that school. During 2008-2009, further merit funds will be distributed, using the plans of the various schools as a guide, through consultations with department chairs, deans, and appropriate faculty. At least twice during the 2008-2009 academic year, the Academic Vice President will convene a meeting of the deans of the various schools for the express purpose of working toward consistency and transparency in the disbursement of merit funds across schools. Once during the year, the Academic Vice President will meet with the Faculty Salary Committee to summarize the meetings with the deans.

E. The Senior Vice President for Academic Affairs will work with the Deans to ensure that the results of the merit and self-evaluation process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas, taking into account distinctions in disciplinary approaches and programmatic and curricular goals. The SVPAA and Deans will also ensure that faculty are being given constructive feedback in the merit and self-evaluation process.

3. First year faculty will receive an increase of 3.5% of their salary or 3.5% of the mean of their rank, whichever is greater:

<table>
<thead>
<tr>
<th>Rank</th>
<th>3.5% of the Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>$3,701</td>
</tr>
<tr>
<td>Associate</td>
<td>$2,909</td>
</tr>
<tr>
<td>Assistant</td>
<td>$2,298</td>
</tr>
<tr>
<td>Instructor</td>
<td>$1,734</td>
</tr>
</tbody>
</table>

D.F. The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations. If the current average compensation in any rank is below the corresponding 95th percentile figure, then in addition to the increase described in section C above, each faculty member in that rank will receive the amount of the difference between Fairfield's average compensation for that rank and the corresponding 95th percentile figure. In addition, that difference plus the sustained/standard merit percent of that difference will be added to the next year’s minimum starting salary for that rank.
E.G. Minimum starting salaries for Assistant Professors will be raised to $60,000*. Minimum starting salaries for the other ranks will be raised by the sustained merit percent. Therefore for 2008-2009, they will increase by 2.5%. The new minimum starting salary for each rank for 2008-2009 is as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>95,874</td>
<td>121,244</td>
</tr>
<tr>
<td>Associate</td>
<td>70,996</td>
<td>100,189</td>
</tr>
<tr>
<td>Assistant</td>
<td>60,000</td>
<td>84,065</td>
</tr>
<tr>
<td>Instructor</td>
<td>48,967</td>
<td>60,940</td>
</tr>
</tbody>
</table>

In 2010-2011, the minimums will increase by $750, and then by the percent designated for the standard merit increase.

*The salaries of continuing assistant professors will be adjusted upward in order to prevent salary inversions within the Assistant Professor rank resulting from the increase in the minimum of the Assistant Professor salary range. Adjustments will be added after increases available from the 3.5% salary pool. Adjustments, which decrease linearly as base salary increases, will be applied to the base salaries of continuing assistant professors with 08-09 salaries below $70,996 (the minimum for associate professors).

When market conditions require, new faculty members may be hired at salaries exceeding the above-designated maximums. The Academic Senior Vice President for Academic Affairs will inform the Faculty Salary Committee in writing of each new position requiring a salary beyond the designated maximum. In all cases, the Faculty Salary Committee will be informed in writing of each hire that exceeds the above-designated maximum.

E.H. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) the sustained increase for the new rank plus any additional merit awarded for 2007 plus an additional $1,000 plus an additional $1,500 if the faculty member had not previously switched to cost-sharing for healthcare (or an additional $200 if the switch was made previously), or b) the minimum of the new rank plus any additional merit compensation awarded for 2007 and previous years beyond sustained merit. Additionally, if he/she was a full-time faculty member prior to the 1997-1998 academic year, $1,188 will be added to his/her salary. This additional amount reflects savings from the 1996 change to a new health plan.

G.I. The salary paid for part-time instruction to full-time faculty members (beyond normal load) and the salary for credit courses for adjunct faculty who are not full-time faculty members will be as follows. The amounts have been increased by 3.5%. Higher payments are occasionally made as market conditions dictate.

• The Administration will provide a list of adjunct salaries to the Faculty Salary Committee each semester.
• For an adjunct faculty member who is not a full-time faculty member, if a class meets two or more times per week during the academic year, the stipend will increase by $150 per course.
• Actual teaching experience at Fairfield is counted for adjunct faculty.
• Two semesters per year are counted for full-time faculty.

Fairfield University Teaching Experience

<table>
<thead>
<tr>
<th>Degree</th>
<th>Under 8 Semesters</th>
<th>8-15 Semesters</th>
<th>16+ Semesters</th>
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<tbody>
<tr>
<td>Non-terminal</td>
<td>$3,409</td>
<td>$3,648</td>
<td>$3,965</td>
</tr>
<tr>
<td>Terminal</td>
<td>$4,126</td>
<td>$4,305</td>
<td>$4,462</td>
</tr>
</tbody>
</table>

H.J. Existing supplemental salary pertaining to Chairs, Program Directors, etc. shall continue as in the past.

I.K. The Faculty Salary Committee and the Administration recognize the need to examine faculty salary distributions for gender inequities, racial inequities, and other inequities covered by federal and state statute as well as inequities created by hiring new faculty and by market conditions. The redress of such inequities, by adding appropriate increments to faculty base salaries, shall be accomplished by a joint decision of the Faculty Salary Committee and the Administration’s Compensation Committee while always protecting the privacy of any individuals involved. If consensus cannot be reached, the Administration cannot be prevented from redressing such inequities. In all cases, the Faculty Salary Committee will be informed in writing of the changes in salary.

J.L. By October 10th of each academic year, the Administration shall provide to the Faculty Salary Committee a list of all faculty salaries and benefits including rank, school, gender, date of hire and date of rank. The faculty salary committee agrees to maintain confidentiality. They agree not to share or discuss individual salaries with anyone outside the salary committee.

K.M. “Benefit Plans Overview for Full-Time Faculty”, an outline and summary of existing benefits, is incorporated in this document as Appendix 1.

L.O. Both the FACHEX plan and the Tuition Exchange Program are coordinated through the Office of the Academic Senior Vice President for Academic Affairs.

M.O. The benefits and conditions stated in this Memo of Understanding shall be reflected in all 2008-2009 to 2010 letters of appointment. The Faculty Salary Committee and the Administration agree to begin collegial discussions of the 2008-2011 Memo of Understanding by October 1, 2008. In the spirit of collegiality, and in furtherance of the President’s directive for a more collaborative system of governance, the Administration agrees to work with the Faculty Salary Committee to discuss salaries as well as any and all benefits; to provide all pertinent information; to receive recommendations concerning benefits and any substantive changes to benefits; to discuss salary and benefit changes; to be receptive to faculty participation in a cooperative process with the intent of arriving at a mutually agreed upon Memo of Understanding for 2009-2010 to 2010-2011.
Faculty Salary Committee: For the Administration:

Date: ____________________

_______________________________     _______________________________
Carl Scheraga     Susan Rakowitz, Chair

____________________     ____________________
Jocelyn Boryczka     David Crawford

____________________     ____________________
Matthew Kubasik     Joseph Dennin

____________________     ____________________
Mark LeClair     Rona Preli

__________________
Susan Rakowitz     Cheryl Tromley

[Approved by the General Faculty on April 18, 2008.]
Memo of Understanding
Faculty Compensation (Salary and Benefits)
2009-2010

After collegial discussions, the Faculty Salary Committee and the Administration have agreed to recommend to the General Faculty for ratification and to the Budget Committee for inclusion in the budget that they submit to the President and the Board of Trustees the following compensation package.

It is understood that if accepted by the General Faculty and Budget Committee and subject to the final approval of the Board of Trustees, through its adoption of the annual budget, all faculty appointments and compensation shall be in accordance with the provisions set forth herein (including the Benefits Plan Overview for Full-Time Faculty) and in the Faculty Handbook as currently amended. All individual, annual letters of appointment will be in accordance with the compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

In the event that either the General Faculty or the Budget Committee raise objections to the recommended compensation changes, the Faculty Salary Committee and the Administration will hold further meetings with the intention of resolving the objections. In the absence of a resolution, the Annual Budget adopted by the Board of Trustees shall be final regarding faculty compensation for the ensuing academic year. In this case, the Administration will provide the Faculty Salary Committee with the revised information called for in this document. All individual, annual letters of appointment will be in accordance with the revised compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

Recommended Salary and Benefit Changes.

A. All faculty will receive compensation and benefits in accordance with the provisions set forth below.

B. The salary pool will be an increase of 0% of the faculty 2008-2009 salary pool. All salary increases are based on an evaluation of performance according to the criteria of the merit plan.

C. All faculty who have not previously switched to cost-sharing of healthcare premiums will receive a salary increase of $2250 spread out over two years. They will receive $1500 in 2009-2010 and $750 (plus the 2010-2011 standard merit increase on $750) in 2010-2011. Faculty who voluntarily switched to cost-sharing previously will receive an increase of $200.
D. The 2008-2009 mean for each rank is:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>$109,082</td>
</tr>
<tr>
<td>Associate</td>
<td>$ 86,413</td>
</tr>
<tr>
<td>Assistant</td>
<td>$ 69,221</td>
</tr>
<tr>
<td>Instructor</td>
<td>$ 50,249</td>
</tr>
</tbody>
</table>

E. The Senior Vice President for Academic Affairs will work with the Deans to ensure that the results of the merit and self-evaluation process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas, taking into account distinctions in disciplinary approaches and programmatic and curricular goals. The SVPAA and Deans will also ensure that faculty are being given constructive feedback in the merit and self-evaluation process.

F. The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations. If the current average compensation in any rank is below the corresponding 95th percentile figure, then in addition to the increase described in section C above, each faculty member in that rank will receive the amount of the difference between Fairfield's average compensation for that rank and the corresponding 95th percentile figure. In addition, that difference plus the sustained/standard merit percent of that difference will be added to the next year's minimum starting salary for that rank.

G. The new minimum starting salary for each rank for 2009-2010 is as follows:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>97,374</td>
<td>121,244</td>
</tr>
<tr>
<td>Associate</td>
<td>72,496</td>
<td>100,189</td>
</tr>
<tr>
<td>Assistant</td>
<td>61,500</td>
<td>84,065</td>
</tr>
<tr>
<td>Instructor</td>
<td>50,467</td>
<td>60,940</td>
</tr>
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In 2010-2011, the minimums will increase by $750, and then by the percent designated for the standard merit increase.

When market conditions require, new faculty members may be hired at salaries exceeding the above-designated maximums. The Senior Vice President for Academic Affairs will inform the Faculty Salary Committee in writing of each new position requiring a salary beyond the designated maximum. In all cases, the Faculty Salary Committee will be informed in writing of each hire that exceeds the above-designated maximum.

H. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) $1,000 plus an additional $1500 if the faculty member had not previously switched to cost-sharing for healthcare (or an additional $200 if the switch was made
previously), or b) the minimum of the new rank plus any additional merit compensation awarded for previous years beyond sustained merit. Additionally, if he/she was a full-time faculty member prior to the 1997-1998 academic year, $1,188 will be added to his/her salary. This additional amount reflects savings from the 1996 change to a new health plan.

I. The salary paid for part-time instruction to full-time faculty members (beyond normal load) and the salary for credit courses for adjunct faculty who are not full-time faculty members will be as follows. Higher payments are occasionally made as market conditions dictate.

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• For an adjunct faculty member who is not a full-time faculty member, if a class meets two or more times per week during the academic year, the stipend will increase by $150 per course.

• Actual teaching experience at Fairfield is counted for adjunct faculty.

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L. By October 10th of each academic year, the Administration shall provide to the Faculty Salary Committee a list of all faculty salaries and benefits including rank, school, gender, date of hire and date of rank. The faculty salary committee agrees to maintain
confidentiality. They agree not to share or discuss individual salaries with anyone outside the salary committee.

M. “Benefit Plans Overview for Full-Time Faculty”, a summary of existing benefits, is incorporated in this document as Appendix 1.

N. Both the FACHEX plan and the Tuition Exchange Program are coordinated through the Office of the Senior Vice President for Academic Affairs.

O. The benefits and conditions stated in this Memo of Understanding shall be reflected in all 2009-2010 letters of appointment. The Faculty Salary Committee and the Administration agree to begin collegial discussions of the 2010-2011 Memo of Understanding by October 1, 2009. In the spirit of collegiality, and in furtherance of the President’s directive for a more collaborative system of governance, the Administration agrees to work with the Faculty Salary Committee to discuss salaries as well as any and all benefits; to provide all pertinent information; to receive recommendations concerning benefits and any substantive changes to benefits; to discuss salary and benefit changes; to be receptive to faculty participation in a cooperative process with the intent of arriving at a mutually agreed upon Memo of Understanding for 2010-2011.
<table>
<thead>
<tr>
<th>Faculty Salary Committee:</th>
<th>For the Administration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: ______________________________</td>
<td>________________________</td>
</tr>
<tr>
<td>Susan Rakowitz, Chair</td>
<td>William Weitzer, Chair</td>
</tr>
<tr>
<td>David Crawford</td>
<td>Robbin Crabtree</td>
</tr>
<tr>
<td>Joseph Dennin</td>
<td>Mark Guglielmoni</td>
</tr>
<tr>
<td>Rona Preli</td>
<td>William Lucas</td>
</tr>
<tr>
<td>Cheryl Tromley</td>
<td></td>
</tr>
</tbody>
</table>
PROPOSED 2009-2010 BENEFITS PLAN OVERVIEW
FOR FULL-TIME FACULTY

TABLE OF CONTENTS

Enrollment and Eligibility

Health Insurance
  Basic Health, Dental and Prescription Drug Insurance Coverage
  Enhanced Dental and Prescription Coverage
  Health Savings Account (HSA)
  Pre-Tax Program
  Medical Flexible Spending Account
  Jesuit Health and Dental Coverage

Retirement Annuity Program and Life Insurance
  Retirement Plan Options
  Basic and Supplemental Life Insurance
  Long-Term Health Care

Leaves of Absence
  Short-Term Disability
  Long-Term Disability
  Worker’s Compensation
  Unemployment Compensation
  Jury and Witness Duty
  Academic Leaves
  Support and Release Time for Extraordinary Faculty Research
  Emergency and Personal Leaves

Maternity Leave and Dependent Care
  Maternity Leave
  Dependent Care
  Dependent Care Flexible Spending Account

Tuition Benefits
  Tuition Remission for Employee, Spouse, or Civil Union Partner
  Tuition Grant-in-Aid for Eligible Dependent Children
  Faculty Children Exchange Program (FACHEX)
  Tuition Exchange Program
  Study Abroad

Retirement and Death Benefits
Retirement Benefits
Death Benefits

Other Benefits
Academic Gowns
Bookstore Discount
Credit Union
Dining
Direct Deposit
Early Learning Center
Employee Assistance Program
Holidays
Housing and Relocation
Library Privileges
Office and Mail
Parking Registration
Printing and Duplicating
Recreational Complex Membership
Tickets

Contact Information
This Benefit Plans Overview for Full-Time Faculty is an official summary of the benefits presently offered to faculty by Fairfield University. The Benefits Plan Overview for Full-Time Faculty is referenced in the “Memo of Understanding (MOU): Faculty Compensation (Salary and Benefits)” and, unless otherwise noted in this overview, the benefits described herein are effective for the duration of the MOU. Any changes in the benefits described in this document will be agreed upon by the administration and Faculty Salary Committee, and any disagreements will be resolved according to the process detailed in the Memo of Understanding.

The benefits are subject to eligibility requirements, employee contributions or co-payments, and coverage limits and exclusions of the written policy or plan. It is not possible to include all of the information in this brief overview. Accordingly, employees are directed to the plan descriptions and written policies for more complete information. Please contact the Office of Human Resources for more information. If there is a conflict between this overview and the written policy or plan, the written policy or plan will govern.

ENROLLMENT AND ELIGIBILITY

Enrollment in all benefits plans, requests for additional information, and changes in coverage are handled through the Office of Human Resources (OHR). The benefits presently available to eligible full-time faculty, their spouses or civil union partners, and their eligible dependents are described in this Overview. This plan provides for the continuation of benefits under the parent’s health insurance contract for unmarried dependent children who are between the ages of 19 and 25 years.

It is incumbent upon the individual faculty member to communicate with the OHR in order to effect timely enrollment or to change coverage. There may be length of service requirements for eligibility as well as premium costs associated with some of these benefits. If there are any additional premium costs, such as enhanced plan costs above the University cost of the Anthem Blue Cross/Blue Shield Century Preferred Plan, the faculty member is responsible for the additional cost.

In order to provide eligible faculty members the opportunity to make changes in health plan options or to purchase additional life insurance, there are periodic open enrollment periods offered by the OHR.

For specific eligibility and enrollment information, please call the Office of Human Resources at ext. 2277.
HEALTH INSURANCE

Basic Health, Dental and Prescription Drug Insurance Coverage

Eligible full-time faculty have available to them health, dental and prescription drug coverage under the Anthem Blue Cross/Blue Shield Century Preferred Plan. The Century Preferred Plan is a managed care plan utilizing a system of Preferred Providers. It provides broad and comprehensive health care benefits.

Hospital Coverage is provided for approved expenses for semi-private inpatient hospitalization at participating hospitals subject to a $100 co-payment per inpatient admission and per outpatient surgery. Emergency room visits are subject to a $50 co-payment.

Medical coverage is provided subject to a $20 co-payment per office visit if services are provided by a Preferred Physician or Provider. (This includes regular visits for physical therapy, chiropractic, or allergist treatments.) A $25 co-payment is required for Urgent Care Services. Services provided outside the preferred provider network are paid at 80% of usual and customary charges after a deductible of $200/member, to a cost share maximum of $1,200 annually. The family out-of-network deductible is $400, to a cost-share maximum of $2,400 annually.

The basic prescription drug program covers the cost of prescriptions up to an annual maximum of $1,000 per covered participant. After reaching this annual maximum, claims are processed as an out-of-network medical claim, subject to a $200 deductible for an individual or $400 for a family. For an individual, after the deductible, the next $5,000 in out-of-network medical costs and/or prescription costs is covered at 80%; the member is responsible for the remaining 20% of costs, to a maximum of $1,000. For a family, after the deductible, the next $10,000 in out-of-network medical costs and/or prescription costs is covered at 80%; the member is responsible for the remaining 20% of costs, to a maximum of $2,000. Thereafter, the plan will pay 100% of out-of-network medical costs and/or prescription costs. Co-payments per each 30 day prescription at a participating retail pharmacy are $10 (generic drug), $20 (formulary listed brand name), $30 (non-formulary brand name) and 1 times the co-payment ($10/$20/$30) per mail order prescription, for up to a 90 day supply.

The basic dental program, Anthem’s Co-pay dental Plan co-pay plan covers preventative, diagnostic and restorative procedures according to a co-payment schedule. For covered dental services provided by a participating dentist, Anthem BC/BS will pay 80% of covered services up to $1,000 per covered participant, annually. If a non-participating dentist renders services, Anthem BC/BS will pay the lesser of the dentist’s charge or the applicable allowance for the procedure as determined by Anthem BC/BS.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits. The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans. For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed in a timely manner. Faculty who wish to waive health
insurance coverage must file a waiver form with the Office of Human Resources. Upon termination of employment, coverage can be continued according to prevailing regulations.

Faculty will cost-share healthcare premiums. Cost-share amounts are based on whether the faculty member signs up for single, two-person, or family coverage, and whether he or she chooses basic or enhanced prescription and/or dental coverage. Table 1 presents cost-share amounts for 2010. For 2010, 2011, and 2012, faculty will pay no more than 10% of the healthcare premium for Option I or the HSA option. For 2010, 2011, and 2012, faculty who choose Options II or III will pay no more than 10% of the basic healthcare premium and up to 100% of the cost of optional enhancements. For 2010, 2011, and 2012, none of the cost-share amounts listed in Table 1 will increase by more than 6% per year.

Table 1: 2010 Annual Cost-Share Amounts for Faculty

<table>
<thead>
<tr>
<th>Option</th>
<th>Single</th>
<th>Two-Person</th>
<th>Family</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option I: Basic Health with basic prescription and enhanced dental</td>
<td>$ 725</td>
<td>$1,474</td>
<td>$1,969</td>
</tr>
<tr>
<td>Option II: Basic Health with basic dental and enhanced prescription</td>
<td>$1,190</td>
<td>$2,259</td>
<td>$3,174</td>
</tr>
<tr>
<td>Option III: Basic Health with enhanced dental and enhanced prescription</td>
<td>$1,425</td>
<td>$2,864</td>
<td>$3,839</td>
</tr>
<tr>
<td>Health Savings Account (HSA)</td>
<td>$570</td>
<td>$1,164</td>
<td>$1,546</td>
</tr>
</tbody>
</table>

Enhanced Dental and Prescription Drug Coverage

Faculty may choose enhanced options at the time of enrollment or during open enrollment.

Faculty members may elect to choose the enhanced dental program, Anthem’s Flex Dental Plan, for themselves and their eligible dependents. The Flex Dental Plan enhanced dental program covers two free cleanings per year along with one set of bite-wing x-rays. Basic in-network services are covered at 80%, while major in-network services are covered at 50%, and are subject to a $25 deductible. The annual maximum coverage for Flex Dental is also $1,000 per member, per calendar year.

Faculty members may elect to purchase an enhanced prescription plan, paying the additional cost for this benefit. Under the enhanced prescription plan, all benefits and required co-payments are the same; however, there is no annual dollar maximum. Included with the enhanced prescription plan are a vision care plan and a hearing care plan.

Health Savings Account (HSA)
Fairfield University has established a high deductible consumer directed healthcare plan option as an alternative to our conventional PPO health plan. This plan takes advantage of the tax savings provided through recent Medicare legislation, while utilizing the same Anthem Blue Cross Blue Shield provider network. Under IRS regulations, those with other coverage are not eligible to have a health savings account. Eligibility options will be discussed at time of enrollment.

Under the HSA, preventive services are provided at 100%, with no co-payment. For all other in-network health expenses, including prescriptions, the deductible under the HSA is $1500 annually for a single person and $3,000 for a family of two or more. In-network health expenses are 100% covered after the deductible has been met. The HSA also includes the enhanced, or Flex Dental Plan, but dental expenditures do not count against the HSA deductible. Fairfield University will contribute $1,000 for an individual and $2,000 for two or more family members towards the high deductible, with employees contributing the difference though tax free payroll deductions if they so choose. University contributions will be made in two installments, January and July of each year. Additionally, employees may contribute additional tax free dollars towards this plan, based upon current IRS regulations.

Faculty pay 10% of the health care premiums for the HSA (see Table 1). As with the Basic Health Coverage, during the three-year period beginning January, 2010, the faculty will not be required to pay more than 10% of the HSA premiums and any increase in the annual co-payments will not exceed 6% per year.

The HSA account dollars may be used to cover the deductible amount in the current year, or saved for use in future years. This money may also be used in a similar fashion to a Flexible Spending Account, and/or allowed to accumulate tax free from year to year. An HSA cannot be used in combination with an FSA.

**Pre-Tax Program**

This program allows eligible full-time faculty to pay health insurance premiums on a pre-tax basis subject to IRS guidelines.

**Medical Flexible Spending Account**

Fairfield University offers participation through payroll deduction in a Medical Flexible Spending Account. Flexible Spending Accounts are tax exempt, individual accounts to which participants contribute pre-tax salary to pay predictable expenses.

The Medical Flexible Spending Account allows participants to pay for medical expenses, not otherwise covered by health insurance, with pre-tax salary contributions to the account up to an annual maximum of $5,000. Tax laws require that funds in the account be spent during the year in which they are accrued.

**Jesuit Health and Dental Coverage**
Eligible Jesuit Faculty members are covered by either Anthem Blue Cross/Blue Shield Century Preferred health insurance and dental coverage or the Jesuit Trust group insurance plan.

**Retirement Annuity Program and Life Insurance Options**

**Retirement Plan Options**

Participation in the regular Retirement Plan is optional for all eligible faculty members. The Employee Retirement Income Act (ERISA) also calls for eligibility for someone who works at least 1,000 hours per calendar year. A member’s contributions are tax-sheltered.

The available tax deferred retirement plan is underwritten by the Teacher’s Insurance and Annuity Association (TIAA)/ College Retirement Equities Fund (CREF) and Fidelity Investments Tax Exempt Services Company. It offers a flexible approach to retirement planning. If the faculty member contributes at least 2.5% of his or her base annual salary, the University will contribute 10% of the employee's annual base salary. The level of the University's contribution and the faculty member's match will remain in effect for at least three years starting in September 2009, and ending in August, 2012 unless the faculty and administration should agree to change it. Both the employer contribution and the employee’s minimum contribution must be held in a restricted account, with no access to these funds until such time that the faculty member terminates employment with Fairfield University. Participants are fully and immediately vested in the plan upon enrollment, but faculty members must contact Human Resources to enroll. Eligibility for the basic plan is after one year of service to Fairfield University or on a transfer basis.

Immediately upon hire, and thereafter, eligible faculty members may participate in a voluntary supplemental pre-tax retirement plan with TIAA/CREF or Fidelity through payroll deduction. All contributions beyond that which is required to participate in the basic retirement plan (2.5%) will be deposited into the supplemental plan, with all of the benefits of a 403(b) plan, which includes a hardship provision, loan provision, and access without penalties after age 59½.

An equivalent payment of 10% of base annual salary is paid to the Jesuit Community on behalf of Jesuit Faculty members in lieu of the above mentioned annuity plan contribution.

**Basic and Supplemental Life Insurance**

The University provides a term life insurance policy at no cost to full-time faculty members. The base value of this policy is equal to one and one half times the base annual salary up to a maximum of $150,000. The value of the policy (base and supplemental amounts) will decrease to 65% of the policy amount on the October 1 which occurs on or next following the faculty member’s 70th birthday.

Supplemental life insurance coverage is available through payroll deduction in varying increments up to $500,000. The faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. The program also provides coverage for eligible dependents if desired.
Although this policy terminates when the faculty member leaves the University’s employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

**Long-Term Health Care**

A voluntary Long-Term Health Care (Nursing & Home Care) insurance plan is available through the Unum Insurance Company on a payroll deduction basis.

**LEAVES OF ABSENCE**

Typically, there are two types of leave – paid and unpaid. Paid leaves include bereavement and sick leave. While on paid leave, benefits continue on the same basis as prior to the leave. Unpaid leaves are absences without pay and include military leaves and personal leaves. During an unpaid leave of absence, the first month of benefits is paid by the University. Certain leaves and absences may come under the regulations of the Family Medical Leave Act.

**Short-Term Disability**

Eligible full-time faculty members will receive full salary and benefits for up to six (6) months of absence due to disabling illness, injury, pregnancy, childbirth, or related conditions. After six months, the faculty member may apply for coverage under the University’s Long-Term Disability Plan (LTD). Any faculty member who anticipates an extended disability absence will inform his/her Dean as soon as possible indicating the anticipated commencement and, whenever possible, the anticipated duration of the period of absence. The University may require medical certification in cases of recurring absences, or for absences lasting longer than a month.

All requests for medical leave of absence must be accompanied by a certification from the health care provider. The University reserves the right to request a second opinion at any time at University expense. Return to work certification is also required.

**Long-Term Disability**

The Long-Term Disability Plan (LTD) provides continuation of up to 60% of base annual salary after a qualifying period of 180 days. The maximum duration of benefits for those participants under the age of 59 at time of disability is to age 65. For participants age 60 or older, the maximum duration of benefits will vary from one to five years, depending on age at onset of disability. In the event of disability under the LTD plan, pension contributions will be deposited to the faculty member's account in an amount equal to the University's contribution to his or her pension plan during the 12 calendar months prior to becoming disabled. In addition, the University will continue to provide health insurance benefits for you and your eligible dependents in the same manner as is
provided to active employees. At age 65 Medicare would become the claimant's primary insurance and the University group plan coverage would end. Dependents would be eligible to purchase group health plan coverage at full rates in accordance with COBRA or Retiree policies.

Under the LTD program, every eligible faculty member has the option of paying for their LTD coverage in which case, benefits received are not taxed.

**Worker’s Compensation**

Worker’s Compensation provides disability benefits and medical coverage as required by law for employees who are injured or who become ill as a result of their employment.

**Unemployment Compensation**

The University provides unemployment compensation benefits under the Employment Security Act for all eligible faculty members at University cost.

**Jury and Witness Duty**

Fairfield University recognizes the civic duty to serve on a jury or as a court witness. When absent from work to serve on a jury or required by subpoena to appear as a witness in court, Fairfield University will pay the full-time faculty member in full for the first five (5) days of jury duty, and thereafter the difference between the fees from the court and regular salary.

**Academic Leaves**

Academic leaves -- sabbaticals, pre-tenure research leaves, faculty grant leaves, and leaves funded by outside agencies -- are governed by the Faculty Handbook.

**Support and Release Time for Extraordinary Faculty Research**

Whenever possible, but within the limits of its resources, Fairfield University will offer financial and institutional support to any faculty member, tenured or tenure-track, who is awarded a major fellowship (American Council of Learned Societies, Fulbright, National Endowment for the Humanities, National Science Foundation, etc.). The university will contribute the difference between the monies of such a fellowship and a faculty member's annual salary, as well as the faculty member's full annual benefits package, so that he or she may take advantage of a full year's leave for research without financial loss. This leave time and institutional support will have no direct bearing on the faculty member's cycle of eligibility for sabbatical leave. Whenever possible, faculty members are expected to make a reasonable effort to link an application for such a fellowship to the time of their sabbatical leave.
Fairfield University will negotiate a reduced teaching load with any faculty member, tenured or tenure-track, who is awarded a major research grant from a peer-reviewed funding agency (NSF, NIH, NOAA, DOE, etc.), whenever that grant is of sufficient complexity and involves enough faculty responsibilities to justify release time. Release time must be concurrent with the funded period of research. This release time will have no direct bearing on the faculty member's cycle of eligibility for sabbatical leave. In applying for such grants, faculty are expected to consider the importance of requesting salary recovery funds from the granting agency. Whenever possible, faculty members are expected to make a reasonable effort to link the period of funded research to the time of their sabbatical leave if multiple-year funding is available.

**Emergency and Personal Leaves**

In cases where a faculty member requests leave for emergency reasons, arrangements for such leave may be worked out by the faculty member and the Senior Vice President for Academic Affairs, in consultation with the appropriate Dean and with the person responsible for his or her curriculum area, without jeopardy to the faculty member’s academic status.

**Maternity Leave and Dependent Care**

**Maternity Leave**

Maternity leaves may be paid or unpaid depending on individual circumstances. However, faculty members whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave. The period of recovery due to a normal childbirth is presumed to be six weeks. The University may require medical certification for absences in excess of six weeks.

**Dependent Care**

Individual course schedules may be modified at the request of faculty members to accommodate their need to care for their infants or young children, as well as their spouses, civil union partners or immediate family, who are seriously ill during the course of a semester. Faculty may reduce their teaching load by one or two courses a semester, with the understanding that they will compensate the University for the course reduction in one of the following manners:

1. The course or courses will be taught over a three-year period immediately following the semester during which the reduction was in effect. Only one additional course may be taught per semester. The courses must be regular departmental offerings unless approved by the appropriate Dean(s) as special or University College listings. If employment at the University terminates prior to fulfillment of this obligation, the faculty member will repay the University
at the cost of one or two adjunct salaries (dependent on the amount of release time taken) at the rate that was in place the semester of the reduced load. During the semester of reduced load, full pay and benefits will be continued. Release time will not be granted a second time until the obligations of the first have been met.

2. Salary will be reduced by 25% for a one course exemption or 50% for a two course exemption during the semester of dependent care need. Full benefits will be maintained during the period of salary reduction. No further obligations will be accrued. Faculty members who wish to take advantage of the dependent care policy must notify their Deans sufficiently far in advance of the semester to allow for the employment of replacements. When release time is requested for the care of seriously ill spouses, civil union partners, or immediate family members, the Deans may request written confirmation from a medical authority.

**Dependent Care Spending Account**

Fairfield University offers participation, through payroll deduction, in a Dependent Care Spending Account. Flexible Spending Accounts are tax exempt, individual accounts to which participants contribute pre-tax salary to pay predictable expenses.

The Dependent Care Flexible Spending Account allows participants to pay for adult and child care expenses with pre-tax salary contributions to the account up to an annual maximum of $5,000. Tax laws require that funds in the account be spent during the year in which they are accrued.

**TUITION BENEFITS**

**Tuition Remission for Employee, Spouse, or Civil Union Partner**

Tuition remission is available for graduate and undergraduate programs to eligible faculty members and their spouses or civil union partners who meet the normal admission and academic requirements. Tuition remission may not apply to some courses/programs. Remission provides fifteen (15) free credits per year with a maximum of six (6) credits in any one semester for a faculty member or their spouse. Fees are payable by faculty member/student. Note that this benefit may be taxable when applied to spouses or civil union partners.

**Tuition Grant-in-Aid for Eligible Dependent Children**

The Tuition Grant-in-Aid policy shall apply to all legally dependent eligible children of full-time faculty members. Tuition is limited to one baccalaureate degree per dependent. Legally dependent children include adopted children and stepchildren who begin matriculation at the University before reaching age 24.

If a child’s matriculation is delayed because of health or military service, the age limit will be extended by the length of such a period of ill-health or service. If an eligible child leaves the
University once matriculation has begun, he or she may return within a two year time period even though over the age limit. Children who do not matriculate at Fairfield University but are matriculating elsewhere may take up to six (6) credits during the summer and three (3) credits during the fall and spring semesters with tuition grant-in-aid. Legal dependency shall include: a) any child claimed by a full-time faculty member as a dependent for federal income tax purposes; b) any child who otherwise demonstrates, as determined by the University, substantial financial dependency upon a full-time faculty member; or c) in the case of divorced parents, any child who fulfills the terms of a) or b) as to either parent, or for whom a divorce decree obligates the faculty member parent for payment of college tuition. Legal dependency must be demonstrated for the period in which the tuition grant-in-aid is sought.

One-half of the Fairfield College Preparatory School tuition is waived under this program. Dependent children must matriculate before age seventeen.

Grant-in-Aid is available to eligible nieces and nephews of full-time Jesuit faculty members.

**Facility Children Exchange Program (FACHEX)**

This program provides for tuition waivers on an exchange basis, at 26 Jesuit Colleges and Universities participating in the program. The program is limited to eligible children of full time faculty and staff, and may be applied towards undergraduate degrees only.

Fairfield University’s liaison office is responsible for certifying eligibility for each faculty member and for contacting their child’s chosen institutions. Fairfield University cannot guarantee acceptance at the host institution, nor does acceptance to a host institution guarantee a FACHEX scholarship.

FACHEX scholarships or tuition waivers are not automatic. Each host institution has its own process for scholarship recipients, with many based on the academic profile of the student applicant. Students applying for the FACHEX benefit are responsible for the completion and presentation of all forms and documents required for application to the host institution, and must meet all enrollment requirements of the host institution.

Recipients of a FACHEX scholarship will continue to receive the scholarship as long as their parent has not resigned from or been terminated by the university during this time and subject to the provisions of the FACHEX program. Termination from Fairfield University will terminate the FACHEX scholarship agreement at the host institution. Children of University retirees are not eligible to apply for FACHEX.

**Tuition Exchange Program**

Tuition Exchange is a partnership of over 500 colleges and universities offering competitive tuition exchange scholarships to members of faculty and staff employed at member institutions. Like FACHEX, this grant-in-aid opportunity does not guarantee full tuition, nor is it a guaranteed benefit.
Fairfield University’s liaison office is responsible for certifying eligibility for each student applying to a member institution. Acceptance to the host institution is not guaranteed, nor does acceptance guarantee a Tuition Exchange Scholarship. Each institution has its own specific process for scholarship selection. Many participating schools choose their scholarship recipients based on the academic profile of the individual student.

Each member institution will determine the amount of award that may be granted under this program and the number of students that they are able to accept each year. Like other participating schools, Fairfield University has an obligation to maintain the balance between outgoing students and incoming students over a five year period in order to continue participation in this program. For this reason, the number of employees’ children eligible for this program may vary from six to ten students in any given year.

Full time faculty on tenure track appointments may complete an application for Tuition Exchange. However, children of eligible faculty and staff will be ranked in order by their parents’ seniority, with the highest consideration for this benefit going to longest term employees.

Recipients of a Tuition Exchange scholarship will continue to receive the scholarship as long as their parent has not resigned from or been terminated by the university during this time and subject to the restrictions of the Tuition Exchange program. Termination from Fairfield University will terminate the Tuition Exchange scholarship agreement at the host institution. Children of University retirees are not eligible to apply for Tuition Exchange.

**Study Abroad Program**

Support for study abroad is available to eligible dependent children who are matriculated in an undergraduate program at Fairfield University and who meet all eligibility requirements under the Tuition Grant-in-Aid program.

For Fairfield University administered semester Study Abroad programs, the amount of tuition grant-in-aid is limited to a maximum of $5,000. However, this amount may be less depending upon the country and the educational program. For Fairfield University administered programs of shorter duration, the amount of tuition-grant-in-aid is limited to a maximum of $500, and may be less depending upon the total number of students participating, country and type of program.

**RETIREMENT AND DEATH BENEFITS**

**Retirement Benefits**

Faculty who retire with at least fifteen (15) years of continuous service to the University (including all periods of full-time employment, sabbatical leaves and leaves of absence, with the exception of leaves for total disability of illness) are entitled to the following privileges (subject to the current policies, restrictions and fees applicable to full-time active faculty): access to all University academic and recreational facilities; attendance at the University’s cultural, athletic and educational
events, including academic convocations and processions; campus vehicle registration; opportunity to buy into the health insurance plan; and tuition remission for self and spouse or civil union partner. Qualifying dependents are eligible for Tuition Grant-in-Aid at Fairfield University and one-half tuition at Fairfield College Preparatory School. Retirees will continue to receive University publications.

While the University's primary responsibility is to its active faculty, it also recognizes the desirability of supporting the continuing research of retired faculty. The University's resources are limited; however, to the degree that these limited resources will allow, and subject to the prior claim of active faculty, the University will endeavor to support the research of retired faculty. To this end, the University will attempt to provide laboratory and computer facilities and financial support for their use, office space and secretarial services when such support of research is possible and appropriate in the judgment of the pertinent Dean. Because of the limitations outlined above, the University cannot guarantee the availability of this research-related support.

Death Benefits

Provisions are made for continuation of salary and insurance benefits for the dependents of an eligible faculty member in the event of his/her death. The existing employment contract in effect at the time of death is paid in full and health insurance coverage and other privileges (such as Library, Recreational Complex, etc.), will be continued subject to policy restrictions and fees applicable to full-time faculty for the surviving spouse or civil union partner and eligible children. If the faculty member was employed at Fairfield University at the time of death and had at least seven (7) years of service at the University, the tuition remission benefit, FACHEX and Tuition Exchange scholarships being paid at the time of death will continue subject to the provisions of these programs. In addition, the University offers Tuition Grant-in-Aid at Fairfield University and one-half tuition at Fairfield College Preparatory School provided the faculty member was employed full-time by the University at the time of death and had at least seven (7) seven years of service at the University.

OTHER BENEFITS

Academic Gowns
The University shall provide academic gowns for all members of the faculty on official occasions.

Bookstore Discount
The bookstore offers a 10% discount on certain purchases with the exception of books. University identification cards are required.

Credit Union
The Fairfield University Federal Employees Credit Union is open to all University personnel.

Dining Facilities
A faculty dining room is provided in the Campus Center.

**Direct Deposit**
As a benefit to all personnel, the University makes available direct deposit services through the payroll office.

**Early Learning Center**
The Early Learning Center offers child care services on campus. Services are offered at a reduced cost for University personnel and are subject to the availability of space.

**Employee Assistance Program**
Fairfield University believes it is in the best interest of our personnel, their families, and the University to make available an Employee Assistance Program (EAP) which assists employees with various difficulties. The University recognizes that a wide range of human problems can adversely affect a valued employee’s job performance and health. Such problems can include physical, mental and emotional illness, marital or family distress, alcoholism or other drug dependencies, and financial or legal matters. We are also aware that problems with immediate family members or among close associates can also cause serious concerns. It is for these reasons that the Office of Human Resources offers an Employee Assistance Program.

**Holidays**
Each spring, a complete list of holidays for the following fiscal year (July 1 to June 30) will be published. The academic calendar may include additional holiday periods.

**Housing and Relocation**
Fairfield University extends to newly hired full-time faculty, a reimbursement of up to $3,500 for moving and relocation costs. The Office of Human Resources can provide moving, relocation and housing assistance. The office of the Senior Vice President for Academic Affairs can also provide information on the availability of limited rental housing offered through the University for up to two years.

**Library Privileges**
Extensive on-campus library services are available. Interlibrary and other loan privileges are provided for the faculty. Student carrels will be available in the library.

**Office and Mail**
Office space, assigned by the appropriate Dean, is provided for each faculty member. Each faculty member is provided with a mail box for intra-campus and U.S. mail. The University offers electronic mail services for business purposes subject to the University’s acceptable use computer policy.

**Parking Registration**
On-campus parking is provided. There is a vehicle registration fee of $80/year. Payment of the vehicle registration fee with pre-tax dollars is available through payroll deduction. All University parking and traffic regulations must be followed at all times.
Printing and Duplicating
A printing and duplicating service is available on campus.

Recreational Complex Membership
The Recreational Complex (RecPlex) is equipped with weight rooms, saunas, indoor basketball and tennis courts, racquet ball courts and a 25 meter pool. The RecPlex membership requires a $25 annual fee. A special faculty shower and locker room is available where a limited number of lockers can be rented for an additional fee. Faculty members may purchase spouse, civil union partner and/or family memberships.

Tickets
Members of the faculty are provided at no cost, subject to availability, with a ticket to all University sponsored events. In addition there are athletic and other events sponsored by various clubs and organizations which are open to faculty. Notice of these events appears in University publications, on bulletin boards, on E-mail, and through special notices.

Additional information and details pertaining to these benefits are available in the Office of Human Resources.

DRAFT Revised: September 1, 2009
Contact Information

Fairfield University Office of Human Resources 1-203-254-4000, ext. 2277

Anthem Blue Cross/Blue Shield of Connecticut
  
  Customer Service 1-800-922-6621
  Managed Benefits (in-state) 1-800-238-2227
  Email: www.anthem.com

Crosby Benefits Systems
  
  Flexible Spending Account 1-800-462-2235
  Email: servicecenter@crosbybenefits.com

Fidelity Investments
  
  Retirement Plan Information 1-800-343-0860
  Email: www.fidelityinvestments.com

Social Security Administration
  
  Retirement Benefits 1-800-772-1213
  Disability Benefits
  Email: www.socialsecurity.gov

The Hartford
  
  Group Life Insurance 1-800-331-7234
  and Long Term Disability
  Email: www.thehartford.com

TIAA (Teacher’s Insurance Annuity Association)
  
  Retirement Plan Information 1-800-842-2776
  Email: www.tiaacref.org

UNUM
  
  Long Term Care Plan 1-800-868-6745
  Email: www.unumprovident.com
II. B. FISCAL POLICIES

1. Benefits

Faculty benefits are outlined in the Benefits Plan Overview for Full-Time Faculty. Enrollment and changes in all benefits programs and requests for additional information are handled by the Office of Human Resources. The insurance programs may be effected by that department only and it is, therefore, imperative that anyone wishing new or changed coverage contact that office immediately. Changed coverage can include addition and cancellation of dependents, change of marital status, change of name, etc. Although the University shall provide all these benefits, it is incumbent upon the individual faculty member to contact the Office of Human Resources in order to effect his or her enrollment in these programs. Brochures and detailed information outlining each benefit plan are available in the Office of Human Resources. In all instances, the Plan documents control and these documents should be consulted with any specific questions concerning benefits.

a. Health Care Plans

BASIC MEDICAL COVERAGE

The University provides, at no cost to the faculty member, an enhanced high quality Health Care Plan (as of July 1, 1996, a self-funded plan with benefits equivalent to the Blue Cross-Blue Shield Century Preferred Plan) which covers hospital and medical/surgical expenses for the faculty member, spouse or civil union partner, and his or her eligible dependents. Optional enhancements are also available. The Health Care Plan is outlined in the Benefits Plan Overview.

If the University should offer a different plan to other University employees, the University will offer faculty members the option to elect alternative coverage under such plan, subject to the same terms and conditions applicable to other employees. If the University should offer a supplemental plan to other University employees, the University will likewise offer such supplemental plan to faculty members, subject to the same terms and conditions applicable to other employees.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits. The faculty shall be advised at least 90 days prior to any proposed changes in the plan of benefits and any proposed comparable plan of benefits shall be submitted for approval to the General Faculty.

The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans.

For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed on a timely basis. Upon termination of employment, coverage can be continued according to prevailing regulations.

MAJOR MEDICAL PLAN

The University’s Major Medical Plan shall be provided at no cost to the full-time faculty member and to his or her dependents. The coverage is effective on the first day of employment at the University. Upon termination of employment, coverage can be continued according to prevailing regulations.

b. Retirement Plan
Participation in the regular Retirement Plan is mandatory for all eligible tenured faculty members. Plans underwritten by the Teachers Insurance and Annuity Association (TIAA), and the College Retirement Equities Fund (CREF) and Fidelity Investments, are available. The faculty member who has completed one year of full-time service or its equivalent is eligible for this Plan and must initiate enrollment in this Plan through the Office of Human Resources. If the faculty member is already a member of an eligible retirement plan, the one-year waiting period may be waived. The eligible and enrolled faculty member is fully and immediately vested in the plan. The University contributes towards the retirement plan with the expectation of a minimum contribution from the participating faculty member as detailed in the Benefits Plan Overview. The Employee Retirement Equities Act (ERISA) also calls for eligibility for someone who works at least 1,000 hours per year. A member's contributions may be tax sheltered, if he or she so designates.

The University contribution is ten percent of the base annual salary with a minimum faculty contribution of two and one-half percent.

An optional Supplementary Retirement Annuity Plan underwritten by TIAA/CREF or Fidelity Investments which may provide tax shelter opportunities is also available.

Eligible faculty members wishing to enroll in this plan should do so through the Office of Human Resources once they are eligible.

c. Life Insurance

The University provides a term Life Insurance policy at no cost to the full-time faculty member. The base value of this policy is equal to one and one-half times the base annual salary. However, additional amounts of coverage are available through payroll deduction up to a combined policy maximum (base plus additional) of $100,000. Supplemental coverage beyond the base amount may be purchased, but the faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. There is no dependent coverage with this policy. On the first day of the month in which a faculty member's 70th birthday occurs, an amount equal to 65% of the selected amount will be provided. Other reductions will occur at ages 75 and 80.

Although this policy terminates when the faculty member leaves the University's employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

d. Illness/Disability Paid Absence Policy

Full-time faculty who are absent from work as a result of illness or disability due to childbirth or injury which is not work related are afforded regular salary, insurance and other benefits during the period of disability. In case of lengthy or recurring absences or disabilities, the University reserves the right to request a medical certification of disability or a second opinion at University expense. In cases of serious and long-term illness/injury, the University will provide salary up to six months. The University’s Total Disability Plan provides benefits after six months subject to the terms of the Plan. The Plan provides benefits up to age 65 or beyond depending on the age of the eligible faculty member at the time total disability starts.

Temporary disability resulting from pregnancy is covered in the same manner as other disabilities during the period the full-time faculty member is absent from work. As soon as is feasible, a pregnant faculty member should provide a
statement indicating the anticipated commencement and duration of the period of pregnancy disability. Barring complications the expected period of pregnancy disability would be six (6) weeks. If the period of disability extends beyond the six (6) weeks, documentation from a physician may be required.

Faculty whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave.

e. Workers’ Compensation

Work related injuries are covered by Workers’ Compensation.
II. B. FISCAL POLICIES

1. Benefits

Faculty benefits are outlined in the Benefits Plan Overview for Full-Time Faculty. Enrollment and changes in all benefits programs and requests for additional information are handled by the Office of Human Resources. The insurance programs may be effected by that department only and it is, therefore, imperative that anyone wishing new or changed coverage contact that office immediately. Changed coverage can include addition and cancellation of dependents, change of marital status, change of name, etc. Although the University shall provide all these benefits, it is incumbent upon the individual faculty member to contact the Office of Human Resources in order to effect his or her enrollment in these programs. Brochures and detailed information outlining each benefit plan are available in the Office of Human Resources. In all instances, the Plan documents control and these documents should be consulted with any specific questions concerning benefits.

a. Health Care Plans

The University provides a high quality Health Care Plan (as of July 1, 1996, a self-funded plan with benefits equivalent to the Blue Cross-Blue Shield Century Preferred Plan) which covers hospital and medical/surgical expenses for the faculty member, spouse or civil union partner, and his or her eligible dependents. Optional enhancements are also available. The Health Care Plan is outlined in the Benefits Plan Overview.

If the University should offer a different plan to other University employees, the University will offer faculty members the option to elect alternative coverage under such plan, subject to the same terms and conditions applicable to other employees. If the University should offer a supplemental plan to other University employees, the University will likewise offer such supplemental plan to faculty members, subject to the same terms and conditions applicable to other employees.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits.

The faculty shall be advised at least 90 days prior to any proposed changes in the plan of benefits and any proposed comparable plan of benefits shall be submitted for approval to the General Faculty.

The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans.

For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed on a timely basis. Upon termination of employment, coverage can be continued according to prevailing regulations.

b. Retirement Plan

Retirement Plans underwritten by the Teachers Insurance and Annuity Association (TIAA), the College Retirement Equities Fund (CREF) and Fidelity Investments, are available. The faculty member who has completed one year of full-time service or its equivalent is eligible for this Plan and must initiate enrollment in this Plan through the Office of Human Resources. If the faculty member is already a member of an eligible retirement plan, the one-year waiting period may be waived. The eligible and enrolled faculty member is fully and immediately vested in the plan. The University contributes towards the retirement plan with the expectation of a minimum contribution from the participating faculty member as detailed in the Benefits Plan Overview.
An optional Supplementary Retirement Annuity Plan underwritten by TIAA/CREF or Fidelity Investments which may provide tax shelter opportunities is also available. Eligible faculty members wishing to enroll in this plan should do so through the Office of Human Resources once they are eligible.

c. **Life Insurance**

The University provides a term Life Insurance policy to the full-time faculty member. Supplemental coverage beyond the base amount may be purchased, but the faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. Although this policy terminates when the faculty member leaves the University’s employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

d. **Illness/Disability Paid Absence Policy**

Full-time faculty who are absent from work as a result of illness or disability due to childbirth or injury which is not work related are afforded regular salary, insurance and other benefits during the period of disability. In case of lengthy or recurring absences or disabilities, the University reserves the right to request a medical certification of disability or a second opinion at University expense. In cases of serious and long-term illness/injury, the University will provide salary up to six months. The University’s Total Disability Plan provides benefits after six months subject to the terms of the Plan. The Plan provides benefits up to age 65 or beyond depending on the age of the eligible faculty member at the time total disability starts.

Temporary disability resulting from pregnancy is covered in the same manner as other disabilities during the period the full-time faculty member is absent from work. As soon as is feasible, a pregnant faculty member should provide a statement indicating the anticipated commencement and duration of the period of pregnancy disability. Barring complications the expected period of pregnancy disability would be six (6) weeks. If the period of disability extends beyond the six (6) weeks, documentation from a physician may be required.

Faculty whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave.

e. **Workers’ Compensation**

Work related injuries are covered by Workers’ Compensation.
For Agenda Item 4:

ACADEMIC COUNCIL MEETING
9/14/2009
Excerpt of Minutes

7.a. Report from the Faculty Salary Committee

Prof. Rakowitz presented the FSC report and roadmap. This is in response to the Board wanting to remove fiscal policies from the Handbook.

On page 44 the three primary changes are listed:
Moving details of the life insurance, and the university contribution to the retirement plan to the BPO and removing “at no cost” from the description of the faculty health care plan in the Handbook.

What remains in the Handbook are tuition benefits, TIAA/CREF and Fidelity as retirement providers and the high quality medical plan as stated in the Handbook. Prof. Rakowitz stated that if the faculty does not act before Oct. 1, there may be negative consequences. If there are, they will affect all faculty and they may be big consequences.

MOTION.[Rakowitz/Tucker]. The Handbook is amended by replacing the section II.B. Fiscal Policies with the attached text.

Prof. Dewitt stated that he was surprised to see this amendment. The motion doesn’t include any of the contingencies that were in the original amendments and that we had discussed. Prof. Rakowitz stated that they have every intention of having this contingent on the faculty and administration voting on the merit plan and the MOU. Prof. Massey asked what happen if the administration wants to make changes in the BPO without faculty review. She has a very grave concern – with this proposal, faculty have no control over changes.

Chair Preli asked faculty to speak in favor or against the motion. Prof. Rakowitz stated that on p. 61 of the packet the process is laid out. Dean Franzosa asked for clarification of what was being replaced with specific language. Prof. Mulvey referred faculty to pages 47 and 48 of the packet and said the highlighted and track changes are there. Prof. Mulvey remarked that she had initially asked the FSC to send each change as a separate item for a vote. There are three changes:
(1) To health benefits, (2) retirement and (3) life insurance. She asked that we focus on p. 47 & 48 where the substantive changes are shown.

Dean Franzosa asked how the MOU articulates with p.47 & 48. Prof. Mulvey stated that p.47 & 48 are on the floor now and whatever is in the MOU is not under discussion or up for a vote at this time. Prof. Dewitt stated that the contingencies were in last year’s amendment. Prof. Tucker spoke in favor of the motion. He stated that faculty voted against the package. However, this plan is not unreasonable. He felt most of it was agreed on in the GF last year.

Prof. Mulvey asked to make a point of information which was that removing fiscal policies from the Handbook was voted down last year overwhelmingly.
Prof. Tucker called the question. No second. Continued discussion.

Prof. Bernhardt wanted clarification on the BPO. Asked if the BPO can be changed by the administration and BOT without faculty input except for the three year cap. Is that in the agreement? Prof. Rakowitz explained that the BPO states that it is amended through discussions between the faculty and the administration. Bernhardt: What if the faculty and administration do not agree?

Prof. Bowen made a motion that the AC direct the General Faculty Secretary to include on the agenda for the GF meeting the governance document and the FSC report and MOU. Prof. Mulvey stated this was out of order as Handbook amendments must go to the AC for review and recommendation before they go before the GF.

Chair Preli (who teaches a class at 5:00) suggested that the council recess and re-convene on Monday, September 21. By recessing, we will pick up right where we left off with the same agenda and materials.

Prof. Rakowitz had a concern about the timing of the next academic council meeting which would be too late to have these items included on the general faculty agenda.

**MOTION.** [Massey/Bowen] to recess.

Prof. Tucker voiced concerns that the faculty will not vote on these items before the BOT meeting if they are not on the agenda. The BOT can then act unilaterally.

**MOTION PASSED.** 15 in favor, 0 opposed, 0 abstentions.
For Agenda Item 4:

ACADEMIC COUNCIL MEETING
9/21/2009
Excerpt of Minutes

7.a. Report from the Faculty Salary Committee.

Discussion ensued regarding the motion put forth by the Faculty Salary Committee at the 9/14/09 AC meeting:

**MOTION [Rakowitz/Dennin]** That the AC recommend to the General Faculty that the Handbook be amended by replacing section II.B., Fiscal Policies, with the attached text.

Specific changes in the text were proposed under II.B.1 (Benefits) for the Health Care Plans, Retirement Plan, and Life Insurance.

Prof. Dennin spoke mildly in favor of the motion, stating that the FSC had worked long and hard in coming up with the proposals that had been agreed to by administrative representatives. While it was an important decision for faculty to make with regard to money issues and changes to the Handbook, it was not, in essence, too complicated a proposal. Details are laid out in the “Roadmap to the Proposed Changes to the Handbook” provided by the FSC. Some statements of benefits do remain in the Handbook (e.g. reference to staying with BC/BS). An increase in Life Insurance has been negotiated. Specific dollar amounts are being moved to the Benefit Plan Overview (BPO). Although protections for faculty may not be as strong as when these specifics remained in the Handbook, there is still protection in that any change to the benefits must be agreed to by both faculty and administration. Faculty also stands to gain from some of the proposed changes (e.g. statements have been added about FACHEX being continued in the case of death of a faculty member). Prof. Dennin felt personally that the proposal was a reasonable deal and that it was important for the AC to take the lead, vote up or down on the proposal, and let the Board of Trustees (BOT) then take their action. The proposal is a package deal like the MOU is a package.

Prof. DeWitt spoke neither in favor or against the proposal. Several issues should be addressed. Question raised about whether AC should decide on the proposal as a package or look at each item in the proposal separately.

**MOTION [DeWitt]** That the original motion on the floor be divided in order for AC to discuss the three issues separately: cost sharing on health premiums, retirement plan, and life insurance.

Prof. Tucker, as a Point of Information, asked if the AC could table the current motion and vote on the original motion?

**MOTION [Tucker/Dennin]** That the current motion on the floor be tabled until the AC votes on the original motion.

After a brief discussion, Chair Preli ruled that the motion to table was out of order.

Prof. Tucker withdrew his motion.
CURRENT MOTION FAILED 3 in favor, 10 opposed, 2 abstentions.

Discussion of original motion by Rakowitz/Dennin resumed. Prof. Tucker spoke in favor of the motion. Expressed the desire to bring this to the general faculty. Asked if the MOU has amendments that require a 2/3 vote by faculty?

Chair Preli stated that the current motion does not include amendments to the MOU.

Prof. Tucker stated his belief that faculty would first be asked to vote on any amendments and that he was in favor of putting the original motion in front of the faculty.

Prof. Massey spoke against the motion. Referenced a quote in a letter from Former President Kelly saying that any benefits not in the Handbook are subject to the “good will” of the parties. Feels that the current proposals represent crucial movements of protections for the faculty out of the Handbook. In the current climate of mistrust between faculty, administration, and BOT, these movements are not in the faculty’s interest.

Prof. Dennin spoke again in favor of the motion. Pointed out the process of reaching a compromise between administration and faculty. Recognized that the changes were not a continuation of Handbook protections, but were protections nonetheless. Administration cannot make changes to faculty benefits at whim.

Prof. Bernhardt spoke against the motion. Feels that protection is a crucial issue. The trustees have to come to an agreement with faculty or the status quo should be maintained. Faculty would be giving away a lot of our protections. We had binding arbitration in the past, and he would prefer that.

Prof. Mulvey spoke against the motion, raising two points. First, feels that the motion only takes things out of the Handbook but does not include the key contingencies, such as adding $2250 to base salary in exchange for cost-sharing of premiums, caps on how fast costs of the premiums can rise in the next three years, the distribution of funds clause in the merit plan, etc. She might favor the motion if these protections were included. The motion doesn’t specifically put the protections in the BPO. The motion has been poorly phrased for the AC to consider. It is the wrong action for AC to take. This motion should be voted down and the FSC should come up with another. Second, feels generally confident about administration’s commitment to the 95th percentile. However, is not confident with benefits being removed from the Handbook. She predicted a decrease in the University’s contribution to retirement plans after the three years. This is a concern especially for young faculty. Feels that protection based on the 95th percentile commitment is flawed but that’s all we have, and that this is a motion to have benefits less well protected than they currently are.

Prof. Massey again spoke against the motion. Agrees with Prof. Mulvey’s comments. In reference to the responses of the FSC to questions by AC members, feels that the wording in the BPO is poor, that there is no teeth to the BPO, and that, since there has been no changes to the charge of the FSC, they have no ability to specifically change the BPO.

Prof. Rakowitz spoke in favor of the motion. Feels that the arguments have been made clear in past discussions. Protections for faculty are there with reference to the 95th percentile commitment. If that commitment is solid, then any changes would fall under that protection. In
terms of the power of the FSC to review the BPO: the FSC reviews the MOU and the BPO is part of that. As a point of clarification: the AC does not approve the motion itself, they give approval for the motion to be sent on to the general faculty. Stated that the FSC will put forth a motion that spells out more carefully all of the contingencies that have been discussed. Asked that AC members look at the whole thing in context.

**MOTION** [Bowen/Lyons] to call the question.

Prof. Mulvey, as a Point of Information, stated that AC only brings amendments to faculty as they have been put forth in AC.

**MOTION TO CALL THE QUESTION PASSED.** 9 in favor, 5 opposed, 1 abstention.

**MAIN MOTION PASSED.** 9 in favor, 6 opposed 1 abstention.

**MOTION** [Rakowitz/Dennin] That the AC recommend that the General Faculty approve the Guidelines for Faculty Annual Merit Review and Self-Evaluation as amended in the 9/17/09 memo from the FSC Chair to the AC (replacing “salary pool” with “increase in salary pool”).

**MOTION** [Tucker/Rakowitz] That AC grant EVP Weitzer speaking privileges.

Prof. DeWitt, as a Point of Information, stated that the second motion was out of order and needed to precede the introduction of the first motion.

Prof. Tucker withdrew the second motion with the general consensus of the Council.

Prof. Rakowitz withdrew the main motion with the general consensus of the Council.

**MOTION** [Tucker/Dennin] That AC grant EVP Weitzer speaking privileges.

**MOTION PASSED** unanimously.

**MOTION** [Rakowitz/Dennin] That the AC recommend that the General Faculty approve the Guidelines for Faculty Annual Merit Review and Self-Evaluation as amended in the 9/17/09 memo from the FSC Chair to the AC (replacing “salary pool” with “increase in salary pool”).

Prof. Tucker spoke in favor of the motion and asked, as a Point of Information, will the Administration firmly support the FSC amendments as separate from governance issues when they are presented to the BOT?

EVP Weitzer stated that he can’t speak for the BOT, but that he and SVPAA Fitzgerald will definitely bring them forward for the Board’s consideration.

Prof. Tucker stated that the AC needs to bring this motion to the general faculty.

Prof. Mulvey spoke against the motion. Voiced questions about the specific plan for the distribution of funds to Standard and Additional Merit. What is the formula to be used? Will it be
a distribution as a percentage of an individual’s salary or a percentage of the mean salary for the rank? We will need data for faculty to be able to compute the MOU.

Prof. Rakowitz stated that, if CPI is 2%, and the salary pool increase is 3%, then standard merit increase would be 2¼%.

Prof. Massey spoke against the motion. Feels that many parts of the motion are sloppy. Important details have not been ironed out. In theory, feels that it is a good idea, but we need more details.

Prof. Dennin spoke in favor of the motion. The Merit Plan as put forth in this motion was discussed in detail last year (at Brown bag lunches, etc.). It was passed overwhelmingly by the faculty, but rejected by the BOT. Wants to bring it back for faculty to pass again.

Prof. DeWitt spoke “not against” the motion. Stated that the CPI clause does not give the assurance it is supposed to give, in that the CPI clause allows, over time, for Standard Merit to fall substantially below CPI while Additional Merit rises above CPI. Would suggest language that linked CPI, Standard Merit, and Additional Merit over several years rather than one year. It would be better to have a clause that references a three-year period, or at least a two year period.

Prof. Dennin again spoke in favor of the motion. Read from an old MOU where the percentages had been given, and stated that it will be done similarly under the new motion. The CPI clause is not perfect, but, with a Merit Plan in the picture, it does address it. Administration can choose to play games, but the clause does address CPI and it is tremendously better than the current situation.

**MOTION** [Tucker/Bowen] to call the question.

**MOTION TO CALL THE QUESTION PASSED.** 12 in favor, 4 opposed, 0 abstentions.

**MAIN MOTION PASSED.** 14 in favor, 1 opposed, 1 abstention.
General Faculty Meeting
October 23, 2009
Agenda Item 5

Background and chronology:
In an attempt to provide background information to members of the General Faculty (GF), listed here is a
timeline with background leading up to the presentation of the proposals from the Academic Council
Subcommittee on Governance, which will take place at the General Faculty Meeting on 10/23/2009.

See especially the top of the General Faculty Secretary’s website: www.faculty.fairfield.edu/gfs for “Items
related to the work on governance”.

For agendas and materials for the meetings, and minutes of the relevant meetings, see the following:

www.faculty.fairfield.edu/gfs/gfmeetings08_09.htm for General Faculty meetings in 08-09
www.faculty.fairfield.edu/gfs/ac08_09.htm for Academic Council meetings in 08-09
www.faculty.fairfield.edu/gfs/gfmeetings09_10.htm for General Faculty meetings in 09-10
www.faculty.fairfield.edu/gfs/ac09_10.htm for Academic Council meetings in 09-10

February, 2008
President von Arx, S.J., established and charged a Blue Ribbon commission on Governance following a report
from the Visiting Team representing the New England Association of Schools and Colleges (NEASC) on
accreditation. The President appointed 4 administrators, 4 faculty members, and 2 outside experts.

May 5, 2008
The Blue Ribbon Commission on Governance (BRC) issued its report.

Late Summer 2008
President von Arx, S.J., appointed a Faculty Handbook Working Group (FHWG), a three person team from
outside the University.

September 9, 2008: Academic Council Meeting
The Academic Council (AC) created the Academic Council Subcommittee on Governance (ACSG) and
elected five faculty members to serve on it. The ACSG was charged to consider the recommendations in the
BRC report that are directed to the faculty.

October 15, 2009
The ACSG was forwarded the report of the FHWG (dated 9/24/08).

November 3, 2008: Academic Council Meeting
The AC received and discussed a report from the ACSG, dated 10/21/08. The ACSG was re-charged to
consider the FHWG report and make recommendations at the next AC meeting.

November 14, 2008: General Faculty Meeting
The President addressed the faculty on governance matters and took questions. There were many questions
related to the status of the Journal of Record (JoR), which had been discussed in the BRC report. A motion
was passed calling on the ACSG and the administration to meet before December 1.

December 1, 2008: Academic Council Meeting
The AC received and discussed the ACSG report (dated 11/18/08) addressing the report of the FHWG. The
AC planned to discuss recommendations from the ACSG’s first report (dated 10/21/08), but the ACSG asked
that this discussion be postponed because talks with the administration were progressing productively.
January 23, 2009
The President issued a statement on the Journal of Record, affirming that the JoR contains policies approved by the AC or the GF and subsequently approved by the administration, which can only be changed by mutual agreement of the AC or the GF and the administration. A Journal of Record Group (JORG) was appointed to review the JoR to make it a living and relevant document.

February 2, 2009: Academic Council Meeting
The AC passed a motion endorsing the President’s statement on the Journal of Record.

February 6, 2009: General Faculty Meeting
The ACSG presented a progress report to the General Faculty.

April 3, 2009: General Faculty Meeting
The ACSG and the Faculty Salary Committee (FSC), in tandem, had been working with the administration. An informational joint report from the FSC and ACSG was presented.

April 6, 2009: Academic Council Meeting
The ACSG and the FSC, in tandem, had been working with the administration. The ACSG presented a report to the Academic Council (AC), dated 4/6/2009 that contained recommendations on amending the Faculty Handbook. These recommendations included (1) voting privileges for ex officio members of the Academic Council, (2) including the Senior VP for Academic Affairs, an academic administrator appointed by the SVPAA, and the General Faculty Secretary in agenda-setting for the Academic Council, and other changes to committees in the Faculty Handbook. The AC discussed the report and sent it to the faculty in order to keep faculty fully informed.

April 20, 2009: Academic Council Meeting
A joint report from the FSC and the ACSG was presented. Many of the proposals were discussed at great length. The AC voted to not approve a proposed amendment to the Faculty Handbook that would give voting privileges to four ex officio members of the AC. When the AC ran out of time, the AC recessed the meeting until 4/27, and voted to send all the documents to the GF for the 4/24/09 GF meeting, so that faculty could become informed as the recommendations made their way through the AC and to the GF.

April 24, 2009: General Faculty Meeting
An informational joint report from the FSC and the ACSG was presented on all the proposals making their way through the AC to the GF. First there was an opportunity to ask specific questions, then there was an opportunity for faculty members to provide input and advice.

The AC continued where they had left off on 4/20. There was discussion of and action on both fiscal policy items and governance items. With regard to governance matters, the AC voted to not approve an amendment to the Faculty Handbook giving voting privileges to four ex officio members of the AC (Senior VP for Academic Affairs, 2 deans appointed by the Senior VP, and the Faculty Secretary).

May 4, 2009: Academic Council Meeting
After dealing with the preliminary agenda items, the AC continued with the proposals from the ACSG/FSC. There was discussion of and action on both fiscal policy items and governance items. With regard to governance matters, the AC voted to not approve an amendment to the Faculty Handbook defining the AC Executive Committee and including in this agenda-setting body the Senior VP for Academic Affairs, an academic administrator appointed by the Senior VP, and the Faculty Secretary.

May 14, 2009: General Faculty Meeting
At an extraordinary meeting of the General Faculty, after final exams, the GF took action on the proposals from the ACSG. (See items 11.a. and 11.b. on the 5/14/2009 GF agenda.)

- Item 11.a. The GF voted to not approve an amendment to the Faculty Handbook giving voting privileges to four ex officio members of the AC (Senior VP for Academic Affairs, 2 deans appointed by the Senior VP, and the Faculty Secretary).
Item 11.b. The GF voted to not approve an amendment to the Faculty Handbook defining the AC Executive Committee and including in this agenda-setting body the Senior VP for Academic Affairs, an academic administrator appointed by the Senior VP, and the Faculty Secretary.

June 12, 2009:
The President sent an email to the General Faculty with a statement from the Board of Trustees attached explaining the actions of the Board at the Board meeting on 6/4/2009. See www.faculty.fairfield.edu/gfs.

June 23, 2009 Summer (Emergency) Academic Council Meeting
At a summer meeting (only called in case of emergency), the AC recharged the ACSG to continue talking with the administration on governance issues and report back to the AC at the first meeting in September.

September 14, 2009: Academic Council Meeting:
With a remarkably full agenda for the first meeting of the year, the AC received the final report from the ACSG. The report was thoroughly discussed with time for questions. In order to accommodate hearing a report from the FSC, the AC moved to a report from the FSC without taking action on the ACSG proposals. When the AC ran out of time, the meeting was recessed to reconvene on 9/21.

September 21, 2009: Academic Council Meeting of 9/14/2009 reconvened on 9/21
The AC used most of the time allotted for this reconvened meeting to take action on the proposals from the FSC. Governance would have to wait until the October meeting.

October 5, 2009: Academic Council Meeting
The AC took action on two of the proposals in the ACSG report. The AC voted to not approve an amendment to the Faculty Handbook that would extend voting privileges on the AC to the Senior VP for Academic Affairs and the Faculty Secretary with 8 in favor, 9 opposed, 0 abstaining (8-9-0). The AC voted to not approve an amendment to the Faculty Handbook that would define the Executive Committee to be the agenda-setting body of the AC and include the Senior VP and the Faculty Secretary along with the AC Chair and Executive Secretary; 5 in favor, 12 opposed, 0 abstaining (5-12-0). Other ACSG recommendations were sent to relevant Handbook committees for input. When the AC ran out of time, the meeting was recessed to reconvene on 10/13.

The AC passed a motion that would require the AC Chair, AC Executive Secretary, Faculty Secretary and the Senior VP for Academic Affairs to meet at least once a month before the AC agenda is set, with topics of discussion to include possible AC agenda items as well as how best to address issues that arise within the governance structure, with 13 in favor, 2 opposed, 1 abstention (13-2-1).
Report of the Academic Council Subcommittee on Governance
September 1, 2009
Subcommittee Membership: Professors Donald Greenberg, Kathryn Nantz (Chair), Susan Rakowitz, John Thiel, and Jo Yarrington

At its June 23, 2009 meeting, the Academic Council authorized its Subcommittee on Governance to continue talks with senior administrators during the summer. Our subcommittee has done so in several meetings. Our report and recommendations to the Academic Council follow.

BACKGROUND

In his June 12, 2009 e-mail to the General Faculty, President von Arx reported that the Board of Trustees acknowledged the progress that faculty and administrators had made in resolving some of the contested issues under discussion during the past academic year. Yet, he stated, the Trustees were disappointed that the faculty, at its May 14, 2009 meeting, did not pass the entire “package” of items negotiated by senior administrators and the Subcommittee on Governance. At their June 4, 2009 meeting, the Trustees voted to approve the entire package of items and requested that the General Faculty reconsider its last position.

In his June 12 e-mail, President von Arx repeated a statement he had made in an earlier e-mail on June 2, 2009: “my goal continues to be to find a resolution to these issues that we all can live with. This will necessitate continued conversations between the faculty, the administration and the Board to see if there is a resolution between the positions voted on by the Faculty on May 14 and the actions of the Board on June 4.” Our subcommittee has worked with the senior administrators during the summer to find such a resolution.

Last semester, our subcommittee’s work proceeded in tandem with the work of the Salary Committee. During the summer discussions, the Salary Committee reached agreement with the administration on a modified proposal regarding salary and fiscal policy matters that it will report to the faculty under separate cover. Therefore, our subcommittee’s task is to focus on the governance issues unrelated to fiscal policies in the original package.

At our final meeting with the senior administrators on August 25, President von Arx and Executive Vice-President Weitzer were clear in stating that they were fully committed to the principle of shared governance. They believed this principle was best conveyed by the Handbook changes proposed in the original package that called for an extended participation of academic administrators at the Academic Council.

In this meeting, our subcommittee responded that we, and the entire Fairfield faculty, are committed to the principle of shared governance, and that we believe shared governance has been practiced well at Fairfield throughout nearly all of our history. We stated too that we were open to constructive changes in our governance structures that reflected our commitment to shared governance. We were concerned, however, that the same flexibility that led to a modified proposal on fiscal policy issues was needed on governance issues, so that, again in the President’s words, we could try to reach “a resolution between the positions voted on by the Faculty on May 14 and the actions of the Board on June 4.”

RECOMMENDATIONS
To that end, our subcommittee has crafted a proposal that we believe is faithful to the spirit of the original package and yet settles in that space between the positions voted by the faculty on May 14 and by the Trustees on June 4. The first two items below propose revised Handbook amendments regarding Academic Council voting privileges that we believe offer a good compromise on these issues. Items 3-7 expand occasions for shared governance in our current structures by adding additional items that were not presented to or voted on by the faculty at its May 14 meeting. These new items represent what we believe are important opportunities to formalize structures and processes in ways that will increase collaboration among faculty, administrators, and the Board of Trustees. We recommend that the Academic Council approve these proposals and forward its approval to the General Faculty for its consideration.

1. HANDBOOK AMENDMENT ON ACADEMIC COUNCIL VOTING PRIVILEGES

The subcommittee recommends that the Handbook be amended to extend voting privileges at the Academic Council to the Secretary of the General Faculty and the Senior Vice-President for Academic Affairs.

**Rationale:** The extension of voting rights to administrators on faculty Handbook committees is hardly unprecedented. In fact, it is typical. Academic administrators currently have ex officio voting rights on 7 Handbook committees: Research, Undergraduate Curriculum, Library, University Advancement, Educational Planning, Faculty Development and Evaluation, University College. At the Academic Council, the Academic Vice-President and the Deans of Schools currently are ex officio nonvoting members. They have been ardent participants in policy discussions and their collaborative contributions have been, and will continue to be, valued highly by the faculty. As a structural sign of our commitment to this collaboration in service to the university, it would be productive to amend the Handbook to extend ex officio voting privileges on the Council to the highest academic administrator and to the highest faculty officer.

*We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:*

At I.B.2, second paragraph, added language proposed for amendment in bold; excised languages in **strikeout**:

**Ex officio members of the Academic Council are the Senior Vice-President for Academic Affairs Academic Vice-President, the Deans of the Schools and the Secretary of the General Faculty. The Senior Vice-President for Academic Affairs and the Secretary of the General Faculty are ex officio voting members.**

This amendment requires the following correction at I.B.2, sixth paragraph, added language proposed for amendment in bold; excised language in **strikeout**:

**The right to vote and/or to make and second motions is limited to faculty members elected to the Council and those ex officio members designated above as voting members. Other ex officio members do not have these rights.** Only the elected faculty members on the Council have the right to vote and/or to make and second motions. Ex officio members do not have these rights. All Council members have the right and privilege of discussion. Additionally, the opportunity for direct communication from the President of the University to the members of the Council is afforded at all meetings in the Order of Business.
In the interests of sharing authority among faculty officers, we recommend that the Secretary of the General Faculty not be entitled to serve as Chairperson of the Academic Council. This requires the following correction at I.B.6, first paragraph, added language proposed for amendment in bold:

The Academic Council shall, at its first meeting of the year, elect from its current elected membership a Chairperson for the ensuing year.

2. HANDBOOK AMENDMENT ON THE EXECUTIVE COMMITTEE OF THE ACADEMIC COUNCIL

The subcommittee recommends that the Handbook be amended to authorize an Executive Committee of the Academic Council composed of the Council’s Chairperson, the Council’s Executive Secretary, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The task of the Executive Committee is to plan the agenda for meetings of the Council. The dialogue that ensues in meetings of the Executive Committee also will provide an opportunity for faculty leadership and the SVPAA to identify and solve problems that can be adjudicated informally.

Rationale: The meeting of the “Executive Committee” of the Academic Council is a practice that has transpired for some time, even though such a committee, as such and in its practiced form, has no standing in the Handbook. The Handbook stipulates that the Chairperson and Executive Secretary of the Council establish the agenda for Council meetings. Under long-established practice, the Secretary of the General Faculty also participates, even though the Handbook does not authorize such participation. Of course, the current practice makes good sense, since the Secretary of the General Faculty should be most fully informed of faculty issues, is an important resource person for such work, and provides continuity (and wisdom!) from year to year. For these very same reasons, the Senior Vice-President for Academic Affairs should also serve as a member of the Executive Committee. Moreover, the Executive Committee’s monthly meetings during the academic year will provide a formal, scheduled opportunity for three faculty leaders to meet together with the senior academic administrator. In addition to the typically perfunctory work of preparing the Council’s agenda, such meetings can provide opportunity for productive dialogue that can identify and avert problems in the academic division before they grow and fester.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.B.10, added language proposed for amendment in bold; excised language in strikeout:

10. Agenda
Any member of the University community may suggest topics for the Council’s consideration. However, the Council, subject to specific instructions by the General Faculty, shall determine which items to accept for placement on the agenda. The Executive Committee of the Academic Council establishes the agenda of Council meetings. The members of the Executive Committee are the Chairperson and Executive Secretary of the Council, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The Chairperson of the Council serves as Chairperson of the Executive Committee. The Executive Committee is also available to consult with faculty and administrators on the best way to address issues within the governance structure.
This description of the work of the Executive Committee in I.B.10 requires the deletion of I.B.6c,

I.B.6. Position of Chairperson of the Council

The Academic Council shall, at its first meeting of the year, elect from its current membership a Chairperson for the ensuing year. The term of office is fixed for one year. The functions of the Chairperson are:

To serve as presiding officer during the course of Council meetings and to enforce the operating procedure adopted by the Council. In the absence of the Chairperson the Council shall designate a substitute from its membership, ex officio or elected.

Serve as its official representative to outside groups.

c. With the Executive Secretary establish the agenda for the meetings.

This description of the work of the Executive Committee in I.B.10 requires a change in the description of the position of the Executive Secretary in I.B.7, added language proposed for amendment in bold; excised language in strikeout:

7. Position of Executive Secretary

The Executive Secretary is elected from the elected membership of the Council. The Executive Secretary is responsible for the following: (a) implementation of the actions of the Council: (b) arranging meetings of the Council and of the Council's Executive Committee, and, in conjunction with the Chairperson, establishing the agenda; (c) communicating the work of the Council to the President and the General Faculty; ...

3. HANDBOOK AMENDMENT ON THE PUBLIC LECTURES AND EVENTS COMMITTEE

The subcommittee recommends that the Handbook be amended to add the Vice-President for Marketing and Communications as an ex officio nonvoting member of the Public Lectures and Events Committee.

Rationale: Under recent administrative reorganization, the Quick Center for the Arts now stands under the authority of the Vice-President for Marketing and Communications. Moreover, the Vice-President’s expertise in marketing public lectures and events makes the addition of the holder of this position to this Handbook committee essential to its mission.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.C.b.9, first paragraph, added language proposed for amendment in bold; excised language in strikeout:

Four members elected from the faculty with three-year overlapping terms, and two students elected by the Student Legislature. The Vice-President for Marketing and Communications and the Director of the Quick Center for the Arts shall be members ex officio.
4. HANDBOOK AMENDMENT ON THE APPROVAL OF SCHOOL GOVERNANCE DOCUMENTS

The subcommittee recommends that the Handbook be amended to give the authority for the approval of the governance documents of schools to the President of the University.

**Rationale:** While it is crucially important that the Board approve Handbook changes, the circumscribed and comparatively local character of School governance documents suggests that the approval of changes in such documents be placed under the purview of the University President.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.D.3, added language proposed for amendment in bold; excised language in strikeout:

Each School’s faculty shall determine its own structure of governance, subject to the approval of the University President Board of Trustees. The faculty of a School or the University President Board of Trustees may propose amendments to a School’s initial governance document. All amendments must be accepted by both the University President Board of Trustees and the faculty of the School in question.

5. FORMALIZING THE RELATIONSHIP BETWEEN HANDBOOK COMMITTEE CHAIRS AND BOARD COMMITTEES

The subcommittee recommends that the Academic Council establish a subcommittee to formulate a Handbook amendment that formalizes the current practice of Handbook committee chairpersons sitting as nonvoting members on comparable committees of the Board of Trustees, considers the relationship of these chairs with the Committee on Conference with the Board of Trustees, and notes their responsibility to report, when appropriate, to the Academic Council and the General Faculty.

**Rationale:** Last year the Board began inviting relevant committee chairs to attend the meetings of related Board committees. This proposal formalizes the role of Faculty Handbook committee chairpersons extended by the Board of Trustees. This process needs to be included in the Faculty Handbook as part of the charges to the appropriate committees, and the relationship between these chairs and the Committee on Conference needs to be considered.

6. UNIVERSITY COUNCIL AND STUDENT LIFE

The subcommittee recommends that the Academic Council establish a subcommittee to consider the value of folding the work of the University Council into the Student Life Committee.

**Rationale:** This recommendation will bring resolution to long-standing issues regarding the relationship between the University Council and the Student Life Committee. Since the work of these committees often seems to overlap, and since the University Council’s description in the Handbook is so nebulous, we believe that a discussion among students, faculty, and administration on this matter is long overdue.

7. EXPANDING FACULTY REPRESENTATION ON THE BUDGET COMMITTEE
The subcommittee recommends that the Academic Council pass a motion that requests the University President to add the chairpersons of the Salary Committee and the Educational Planning Committee to the membership of the University Budget Committee.

**Rationale:** Over ten years ago, the university administration agreed to allow elected faculty representatives to sit in on the university's Budget Committee. (This committee was then called the “Finance Committee”, but the name was changed to avoid confusion with the Board's Finance Committee, which has a very different role.) Faculty have since been electing such representatives, and three faculty have been participating in the work alongside the vice presidents, the executive vice president, and representatives from the student body and staff.

This recommendation would improve shared governance by 1) increasing faculty participation in conversations regarding the allocation of key campus resources, and 2) placing elected chairpersons of standing faculty committees that conduct business often related to the allocation of resources in conversation with the broader context of resource needs on campus. This broadening of faculty participation in substantive conversations regarding fiscal resources would contribute significantly to the budgetary process.

**CONCLUSION**

We believe that our work as a subcommittee is now complete, though we would be pleased to present these proposals to a wider faculty audience. We urge the faculty representatives at the Academic Council to approve these proposals. Our conversations with President von Arx and Executive Vice-President Weitzer were not conducted under propitious circumstances. These conversations were always frank and at times testy. But they were always respectful, collegial, and full of commitment for doing the best for Fairfield’s many constituencies. We believe that these discussions have been a good model for what an even more collaborative future for faculty and administration might be.
MOTIONS TO BE VOTED ON AT GF MEETING 10/23/2009

MOTION 1. That the General Faculty approve that the *Faculty Handbook* tenth edition (2006) be amended in section I.B.2 paragraphs 2 and 6 and I.B.6 paragraph 1 as follows. (New language is in **bold** and language to be deleted is marked with strikethrough.)

*Ex officio* members of the Council are the **Senior Vice President for Academic Affairs** and the **Academic Vice President**, the Deans of the Schools and the Secretary of the General Faculty. The **Senior Vice President for Academic Affairs and the Secretary of the General Faculty** are *ex officio* voting members. Additional *ex officio* positions may be accorded membership on the Council by appointment of the President and the Council. Faculty members of the Council are elected to represent the interest and orientations of the various Schools of the University.

The right to vote and/or to make and second motions is limited to faculty members elected to the Council and those *ex officio* members designated above as voting members. Other *ex officio* members do not have these rights. Only the elected faculty members on the Council have the right to vote and/or to make and second motions. *Ex officio* members do not have these rights. All Council members have the right and privilege of discussion. Additionally, the opportunity for direct communication from the President of the University to the members of the Council is afforded at all meetings in the Order of Business.

The Academic Council shall at its first meeting of the year, elect from its current *elected* membership a Chairperson for the ensuing year. The term of office is fixed at one year. The functions of the Chairperson are:

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**At the Academic Council Meeting on 10/5/2009, a MOTION to approve the above amendment to the *Faculty Handbook* FAILED:** 8 in favor, 9 opposed.
10. Agenda

Any member of the University community may suggest topics for the Council’s consideration. However, the Council, subject to specific instructions by the General Faculty, shall determine which items to accept for placement on the agenda. The Executive Committee of the Academic Council establishes the agenda of Council meetings. The members of the Executive Committee are the Chairperson and Executive Secretary of the Council, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The Chairperson of the Council serves as Chairperson of the Executive Committee. The Executive Committee is also available to consult with faculty and administrators on the best way to address issues within the governance structure.

6. Position of Chairperson of the Council

The Academic Council shall, at its first meeting of the year, elect from its current elected membership a Chairperson for the ensuing year. The term of office is fixed for one year. The functions of the Chairperson are:

a. To serve as presiding officer during the course of Council meetings and to enforce the operating procedure adopted by the Council. In the absence of the Chairperson the Council shall designate a substitute from its membership, ex officio or elected.

b. Serve as its official representative to outside groups.

c. With the Executive Secretary establish the agenda for the meetings.

7. Position of Executive Secretary

The Executive Secretary is elected from the elected membership of the Council. The Executive Secretary is responsible for the following: (a) implementation of the actions of the Council; (b) arranging meetings of the Council and of the Council’s Executive Committee, and, in conjunction with the Chairperson, establishing the agenda; (c) communicating the work of the Council to the President and the General Faculty; (d) distributing Council-approved minutes to all members of the General Faculty; (e) overseeing committees of the Council; (f) designating the Recording Secretary before the next meeting of the Council; (g) whatever other executive function the Council may delegate.

At the Academic Council Meeting on 10/5/2009, a MOTION to approve the above amendment to the Faculty Handbook FAILED: 5 in favor, 12 opposed.
General Faculty Meeting  
October 23, 2009  
Agenda Item 5

MOTION 3. That the Academic Council Chair and Executive Secretary, together with the General Faculty Secretary, meet with the Senior Vice President for Academic Affairs at least once a month. The meetings should take place before the agenda is prepared for upcoming Academic Council meetings. Topics for discussion should include but not be limited to possible Academic Council agenda items, as well as how best to address issues that arise within the governance structure of the university.

At the Academic Council Meeting on 10/13/2009, the MOTION above PASSED: 13 in favor, 2 opposed 1 abstention.
6. Old Business

a. Consideration of AC Subcommittee on Governance proposals (attachment)

Prof. Preli directed the Academic Council to consider the proposals in the packet beginning on page 18. Prof. Preli would like to take each recommendation made by the AC Subcommittee on Governance which spoke two weeks ago in order. First, on page 19 – that the Handbook be amended to extend voting privileges to the Executive Secretary and the SVPAA.

**MOTION [Tucker/Lyon]: To pass all seven of these as a package rather than individually.**

Prof. Mulvey objected that they’re not all Handbook amendments and would require separate votes by the GF.
Prof. Tucker responded that the administration sees it as a package. He wants to see if there is support for the package in its entirety.

Prof. Mulvey stated, “I do feel this is a terrible idea. I too feel pressure after Billy Weitzer’s remarks but some are bad for the institution and some are good for the institution. I feel it would be irresponsible to accept as a package and it can’t be voted on as a package at the General Faculty meeting.”

Prof. Tucker asked for information on what would happen if the faculty voted on it as a package.
Prof. Mulvey explained that the Handbook amendments require two-thirds approval and the rest just a majority so the proposals need to be voted on separately at the General Faculty meeting.
Prof. Tucker wanted to explore other options.
Prof. Massey suggested perhaps Prof. Tucker should consider withdrawing the motion and make it proposals numbers 1-4 which are all Handbook amendments together and separate from the rest of the changes which are not Handbook amendments. This would be less challenging in terms of logistics.

Prof. Tucker said that passage of his original motion would demonstrate support of the Academic Council Subcommittee and faculty could still vote on the proposals separately. If support is not there, then we would still break out and vote on the proposals separately. We would be sending a signal.

Prof. Bernhardt raised a point of information. Proposal number 7 says the Academic Council recommends the faculty pass a motion. Is that how we read this? It seems to me this should be separate.

Prof. DeWitt stated he is very much against this approach. He wants to defeat this motion and move on. It may be technically possible for the AC to vote on together but later it would have to be broken apart at the General Faculty meeting, and procedurally it would be a mess to break apart.
Prof. Rakowitz noted that the last three proposals are not supposed to go beyond the Academic Council.

**Prof. Tucker withdraws the motion.**

**MOTION** [Rakowitz/Bowen]: That the Academic Council recommend that the General Faculty approve proposal 1, that the *Handbook* be amended as on page 20, which would extend voting privileges to the Secretary of the General Faculty and the SVPAA.

Prof. Rakowitz spoke in favor of the motion. This would be purely symbolic of the fact that the default model with the administration should be collaborative not adversarial.

Prof. Bowen also spoke in favor of motion. She recognizes that there are number ways this goal might be reached but this has been the plan brought to us by our subcommittee. The goal reached would be important and the means would be appropriate.

Prof. Mulvey spoke very strongly against the motion. Only faculty elected by colleagues to represent them on behalf of the faculty should be voting. This is an underlying principle of representation. They should be faculty elected by colleagues to do this job. As part of the underlying principles of shared governance, the actions voted upon by the Academic Council are not final; those decisions go to the SVPAA and the administration can veto, which they must do in writing. It is a violation of due process to give the SVPAA a vote when he has the ultimate veto. The arguments for this proposal are symbolic. Yes he is a faculty member but he has not been elected to be voting on this body. People argue that there is a model: seven *Handbook* committees have the vote for administrators, but that doesn’t make it a good idea. The only reason is to pacify the trustees and get them off our backs. I care about it very deeply and on a principled basis. When it started out, the President wanted all 7 administrators to have a vote, then 4, now 1 – it is not the number of votes, it’s the principle.

Prof. Tucker said he is not sure what other schools do but the faculty did come down from three to the one, negotiated, and it addresses what NEASC asked for, more shared governance, and what the Board of Trustees asked for. He wants to hear about other schools.

Prof. Mulvey stated that her principled stance comes from AAUP standards. She has recently reviewed the NEASC report, and NEASC did not ask for this as shared governance.

Prof. Massey read the *Handbook* language regarding the Academic Council, that the Academic Council is for the faculty and explaining the function of the Academic Council in academic matters. The administrators make their comments. It is a problem with due process – you’re not supposed to be a judge in your own cause. She is concerned that this is not fully flushed out properly.

Prof. DeWitt is opposed. Some proposals have a principled reason to oppose and some have a practical reason. On practical matters, this one is a wash – it’s the principle – this is a candy bar model of shared governance. That’s not what shared governance is; this doesn’t go along with, but is contrary to those models. He doesn’t know of any faculty senate that has administrative votes; usually they don’t even have administrative presence. We have a hybrid model: we don’t have votes but we have a presence. Ask yourself whether you would vote for it if it were not for a threat. We should decide on the merits.
Prof. DeWitt suggested voting be done by ballot.

Dean Franzosa said she doesn’t want to muddy the water. She wants to see us move forward and the principle of shared governance is important. As a point of information, she asked what the original proposal included.

Prof. Rakowitz answered that the administration originally wanted six deans and the SVPAA to have voting privileges. In the spring, they brought forward the proposal of two deans and the SVPAA, so a net of two administrative votes.

Dean Franzosa wanted to go on record saying that she doesn’t like that. Deans are important for their voices to be heard and respected, with wonderful and rich experiences. She had another question about student representation: do we have a graduate student? (The answer was no.)

**MOTION [Dennin/Robert]: To call the question.**

**MOTION PASSED:** 14 in favor, 1 opposed, 0 abstentions.

Prof. Preli asked if there was any objection to voting by ballot. With no objection, the vote was held by ballot.

**MAIN MOTION FAILED:** 8 in favor, 9 opposed.

**MOTION [Rakowitz/Shea]: That the Academic Council recommend that the General Faculty approve proposal 2, the reorganization of the Executive Committee (on page 21-22) to include the SVPAA and the Faculty Secretary.**

Prof. Tucker asked, is this dependant on the first motion? Prof. Preli answered, “No.”

Prof. Massey had a question but was not sure who would answer: what happens if there is dissension, four people. The answer is given on page 10 that the agenda item gets added, but on page 12 the answer changes for same question. It states that this provides greater opportunities for efficient problem solving. What exactly is the role? If it is perfunctory, then need language in *Handbook* added as to that role. Again, “the devil is in the details” and this is not flushed out.

Prof. Bowen responded that she can address this from her experience on the Executive Committee last year. Only two members determined the agenda: the Chair and Executive Secretary. It never got to the point of voting; we talk at length but never in that year took a vote. She would expect with four it would operate in the same way.

Prof. Tucker raised the question of whether an item then would go on the agenda if a tie. Prof. DeWitt answered “Yes.”

Prof. Mulvey is opposed. We have never said anything doesn’t go on the agenda – in her years as General Faculty Secretary and as Executive Secretary before that. It reflects a lack of experience of the committee members as to the Executive Committee. This discussion here makes me think this group doesn’t know what happens. We don’t act as gatekeepers. We would never omit something from agenda. There is no decision-making authority.

Prof. DeWitt is against the motion. This has both principled and practical reasons against it. On page 12 of the packet, under Prof. DeWitt’s question, he offered to make the bold highlighted motion today if this one fails. If the SVPAA is a member of the Executive Committee, then
anything that comes in has to be shared. Prof. DeWitt went through his files this morning and there’s a lot of stuff he would not want to be seen by the administration – queries with regard to age discrimination, possible legal challenges. This is an important reason against including the SVPAA on the Executive Committee. He is in favor of the alternate motion on page 12, which would accomplish the sharing function in an appropriate way. He commented, “I think Paul Fitzgerald would kill himself if has to sit through AC Executive Committee meetings.” He described the agenda-setting meetings of the Executive Committee as “largely grunt work putting together this packet,” “largely mundane,” and “not a good use of the SVPAA’s time.” He suggested that the Academic Council vote this down and then vote on the alternate motion.

**MOTION [Tucker/Rakowitz]: To grant Acting President Weitzer speaking privileges.**

**MOTION PASSED: 14 in favor, 1 opposed, 0 abstentions.**

Acting President Weitzer stated that they did have full understanding of what was involved. The goal is problem solving. SVAAP Fitzgerald is aware of the perfunctory part and is willing to do both. He said he knows of many institutions where the administration votes, that there are “plenty of examples where that happens.”

Prof. Mulvey spoke against the motion. The agenda should be set by faculty elected to do the job and she seconds Prof. DeWitt’s comments of the perfunctory nature of this job. “If the goal is problem-solving, I’m all for that. Monthly meetings are already happening and I look forward to them continuing.” She said we should vote it down and consider the motion on page 12. She also wanted to go on the record stating that it is not the reality that there would be something not getting on the agenda.

Prof. Rakowitz spoke in favor of the motion. She said that the objection about the perfunctory nature doesn’t really resonate with her: “I don’t understand why I should be concerned about the boredom of the administration.” She stated that if the configuration changes, people would contact faculty leaders directly rather than in their roles as the Executive Committee with confidential information. The goal is to facilitate the smooth communication; everyone would have an understanding. Some of those would be met by Prof. DeWitt’s alternative motion. The other goal is to build relationships among people by giving them a task to work on together, calling upon the social psychology perspective.

Dean Hadjimichael stated the six deans work on behalf of faculty and students too, not just the Academic Council. The only medium to get through to the Academic Council is through the SVPAA. We have monthly meetings with Paul Fitzgerald. We are all working with same purpose and we would have a safe way to get through. He speaks for the motion.

Prof. Boryczka spoke against the motion. From her doctorate degree in politics, she explained that agenda setting is incredibly powerful, that is the business of politics and power, because it provides quite a bit of power to someone sitting in a position of power. Agenda setting powers occur behind closed doors and are not as transparent as other venues.

Dean Solomon spoke in favor of motion for the reasons given by Dean Hadjimichael. He added that this lends another voice and makes things more clear. The Academic Council still has the final say. This is not giving undue power to administration just like it doesn’t for the people now on it.
Prof. Tucker spoke in favor of the motion. There is a practical aspect as well because there are still three votes against one and any member of Academic Council can change the agenda.

**MOTION [Dennin/Bowen]:** To call the question.

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

A ballot vote ensued.

**MAIN MOTION FAILED:** 5 in favor, 12 opposed.
For Agenda Item 4:

ACADEMIC COUNCIL MEETING  
10/13/2009  
Excerpt of Minutes

The meeting was called to order at 3:35 p.m.  
Preli: We are reconvening the recessed the October 5th meeting. We are in the middle of agenda item 6.a.  

6.a. Consideration of the AC Subcommittee on Governance (ACSG) proposals.  
Preli: On October 5, recommendations 3, 6, and 7 from the ACSG Report were sent to the respective committees for consideration and comment.  
Boryczka: I move that the motion on page 12 of the Oct 5th packet (in bold)

**MOTION:** That the Academic Council Chair and Executive Secretary, together with the General Faculty Secretary, meet with the SVPAA at least once a month. The meetings should take place before the agenda is prepared for upcoming Academic Council meetings. Topics for discussion should include but not be limited to possible Academic Council agenda items, as well as how best to address issues that arise within the governance structure of the university. Massey: 2nd  

Rakowitz: opposed to motion – not far enough. We should wait until the General Faculty votes on the related motion the AC voted against last meeting.  
DeWitt: Speaks in favor of the motion. Should the faculty approve the related motion, this motion is consistent with that motion.  
Fitzgerald: The ACSG recommendation 2 and this Academic Council motion are pointing in the right direction. Shared governance is already working quite well. There are many venues in which to meet with faculty. Faculty, administration and staff are willing to and do work together. The ACSG recommendation 2 and this Academic Council motion are working to add more structure to what is already going on. It is helpful to meet as I now do with ACEC. I don’t need a vote on the ACEC. Together we operate with a consensus and act as a clearinghouse for issues.  
Mulvey: I speak in favor of the motion. Meetings we have already had together with the SVPAA have been extremely productive. This motion brings us back to where we were with previous AVPs. There was a lack of frequent meetings with AVP Grossman which had previously occurred with AVP Robert Wall.  
Massey: I speak in favor of formalizing the structure of collaboration. We value this as an institution.  
Lyon: Against the motion. Do we need another handbook committee?  
Mulvey: This is not an HB change.  
Preli: This is intended for the Journal of Record  
Lyon: In general we trust the chair of a committee. Do we need to go through a set body of people setting the agenda?  

**MOTION (Bernhardt/Rakowitz) to call the question**  
**MOTION PASSED.** 12 in favor, 3 opposed, 0 abstentions (3-12-0)  

Discussion on whether or not to use a secret ballot ensued. Secret ballots are to be continued from prior meeting.  

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