Meeting of the General Faculty
Friday, November 20, 2009 from 3:30 - 5:00 PM
Dolan School of Business
Room 110A and 110B

AGENDA

1. Announcements

2. Approval of minutes
   a. Minutes of General Faculty Meeting of 9/11/2009 (attached)
   b. Minutes of General Faculty Meeting of 10/23/2009 (attached)

3. Proposed Handbook amendments on Academic Council Executive Committee and voting membership of the Academic Council (attachments)

4. Proposed Handbook amendment giving authority for approval of school governance documents to the faculty of a school and the President of the University (attachments)

5. Proposed Handbook amendment adding VP of Marketing and Communication as an ex officio member of the Public Lectures and Events Committee (attachments)

6. Proposed Handbook amendment regarding the purpose and duties of the Faculty Salary Committee (attachments)

7. Adjournment.

ATTACHMENTS.

For item 2.a.: Draft minutes of the 9/11/2009 General Faculty meeting (pages 2-7)
For item 2.b.: Draft minutes of the 10/23/2009 General Faculty meeting (pages 8-12)
For item 3.: Background and chronology (pages 13-15)
Motions to be voted on (pages 16-18)
Excerpt of AC minutes of 10/5/2009 (pages 19-23)
Excerpt of AC minutes of 10/13/09 (page 24)
For item 4.: Motion to be voted on (page 25)
Excerpt of AC minutes of 10/13/09 (page 26)
For item 5.: Motion to be voted on (page 27)
Excerpt of draft AC minutes of 11/2/09 (page 28)
Excerpt of packet for AC meeting of 11/2/09 (pages 29-33)
For item 6.: Motion to be voted on (page 34)
Excerpt of draft AC minutes of 11/2/09 (pages 35-36)
Excerpt of packet for AC meeting of 11/2/09 (page 37)

THE MEETING WILL BE FOLLOWED IMMEDIATELY BY A GALA RECEPTION
HOSTED BY THE FACULTY WELFARE COMMITTEE/AAUP
Not long after 3:30 PM, the meeting was called to order in the Kelley Presentation Room by the Secretary of the General Faculty, Professor Irene Mulvey. She explained that the room had not been set up as requested and thanked Eddie Rivera and his crew for so quickly setting up the chairs, etc. [Applause!] She announced that retired faculty members Sister Julianna Poole and Bob Fedorchek were in attendance to hear the remembrances of our colleagues; there was no objection to their presence. She announced that President von Arx had chosen Professor Larry Miners to chair our General Faculty meetings for the year. Prof. Miners took over at the podium to enthusiastic applause.

**MOTION** To allow EVP Weitzer to attend GF meetings in 2009-10.
**MOTION PASSED.**

**MOTION** To allow Suzanna Klaf, Assistant Director of CAE, to attend GF meetings in 2009-10.
**MOTION PASSED.**

1. **Announcements.**

Prof. Miners called on retired Professor Bob Fedorchek who gave a brief remembrance of Father Victor Leeber, S.J. A more detailed remembrance was provided for the faculty and is reproduced below.

**REV. VICTOR F. LEEBER, S. J.**

When my wife Theresa and I drove to the Campion Jesuit Community in Weston, Massachusetts, the morning of August 20th to attend the funeral mass for Fr. Victor Leeber, we were greeted at the entrance of the chapel by his niece. Numerous photographs of Fr. Leeber in various settings and a wealth of memorabilia had been mounted near his casket and she encouraged us to examine the various pieces on display. I very quickly spotted a cap hanging on a sign board. Seeing it prompted a smile on my part, for I recognized it immediately. “That cap is famous at Fairfield University,” I told her, “as much for its witty, and fond, play of words as for what it symbolizes.” She insisted, since I knew its history, that I take it. I have brought it with me today. Fr. Leeber loved few things more than an occasional show-and-tell, and I believe he would delight in this one. He was, as many of you know, an ardent sports fan who over the years became the moderator and chaplain of countless club teams like swimming and rugby. One of them thanked him with the cap that I now hold up. It reads: **FATHER LEEBER / Without you we never had a prayer.**

I cite this fond tribute paid him because it illustrates how Fr. Leeber lived his life, how Fr. Leeber affected family, students, friends, and colleagues—he was always there for anyone who asked, for anyone in need. His compassion knew no bounds and his generosity was legendary. While he always gave unstintingly of his time and energy to help his students academically, he also attended to their spiritual needs by performing myriad marriages and baptisms and by saying special masses.

Fr. Victor Leeber, whose original family name was Leopardi, was born in Elkins, West Virginia, in 1922. He entered the Society of Jesus in 1940, was ordained in 1953, and took his final vows in 1957. During these years he studied with the firm preparation of purpose for which Jesuits are noted, and his thorough grounding included a novitiate and juniorate at Shadowbrook, the study of philosophy and theology at Weston College, tertianship in Florence, Italy, and three years at the University of Madrid, where he earned a Ph.D. in Spanish literature. He had already begun laying the groundwork for the department of modern languages here at Fairfield University when, from 1947 to 1950, he performed the yeoman task of teaching Spanish, Italian, and French. When he returned from Spain in 1957 he assumed the chairship of the department, which in many ways became synonymous with his name, and served with unflagging dedication and loyalty until he relinquished the position in the fall of 1983. Twenty-six years.

Like many of us in the late sixties and early seventies, he carried a twelve-hour teaching load in addition to the time-consuming work as chair, sat on practically every faculty committee in existence, and
served as subminister of the Jesuit community from 1974-1993, while managing during all of this period to be one of the first, if not the first, to appear at the rec plex pool for a daily morning swim, his preferred form of exercise. There are two areas in which I have no way of determining the facts with exactitude, but I shall hazard guesses: that he holds the record for number of laps swum by a member of the Fairfield University community in pools all over the world and that he also holds the record for the number of movies seen by any Jesuit in the history of the New England province. And I believe, if they are tuned in to this afternoon’s meeting, that Bernie Scully and Dick Costello would readily agree and laugh benignly, for they were the two fellow Jesuits that he tapped most often to drive him to a theater, for don Victor himself never learned to drive an automobile.

In the early seventies he sponsored the introduction of Portuguese into the offerings of the department of modern languages, and years later, to comply with the demands made by militant students who took over Xavier Hall, he arranged—through a contact at the United Nations—for us to offer Swahili, the language demanded by the students. The day after he hired a native-speaking instructor he came to my office, a somewhat worried expression creasing his brow. I still remember our exchange, and pretty much verbatim. “What’s up, Father?” I asked. “I don’t think,” he began, “that these students know what they’re in for, Bob. Wait until they tackle Swahili. The new man tells me that syntactically and lexically it’s exceptionally difficult.” As I recall, the fall semester started with a scholastic bang of sorts, that is, sufficient registration for two introductory classes, but by the middle of the spring semester there were barely enough students to justify the continuance of one section.

For decades Father Victor Leeber labored tirelessly and enthusiastically to promote things Hispanic—literature, culture, and history. He loved Spain, even more, I think, than Italy. He found, or made, time to put together a florilegium of short stories and essays by authors of numerous Spanish-speaking countries, but chiefly from Spain. It was titled Perfiles literarios and we used it as a reader in Intermediate Spanish for a number of years. He conducted seventeen Fairfield-University-in-Spain summer programs for secondary school teachers, more than half of them supported by NEH Grants. Each spring, in anticipation of his departure for the “mother country,” as he would sometimes refer to Spain with a twinkle in his eye, his excitement would grow, become nearly palpable.

It was on one of those trips, the summer of 1988, when I learned something about Father Victor Leeber that I never knew. We were housed in a colegio, a private secondary school, and one evening I went down to consult with him, in all likelihood to discuss a lecture or a field trip for the following day, and as I walked along the hall toward his room I glimpsed smoke trickling out beneath the door. I hurried to it, knocked excitedly, and called out rapidly, “Father Leeber! Father Leeber! It’s Bob! I see smoke! If you’re in here, are you all right?” Seconds later, after I made another appeal, Father Leeber came to the door.

“Bob,” he started to mumble, a sheepish expression on his normally placid countenance, “some mosquitoes flew in here and I had to light a cigar in order to get rid of them with smoke.” I think I managed not to smile too broadly when I noticed the box of Cohiba cigars that Fidel Castro used to favor. And I’m certain that I did not point out the incongruity of his just happening to have them on hand... especially since there are no mosquitoes in Madrid. I told him I would keep his secret from both the señoras, the nuns who ran the colegio, and the students.

During his years as subminister of the community, Father Leeber was the keeper of the keys, the purveyor of spirits, and he kept the Bellarmine storehouse well supplied. I quickly learned, after I succeeded him as chair, never to schedule department or section meetings that would go beyond four-thirty, for he was already contemplating a copita of Tio Pepe, one of his favorite sherries. He deserved those moments of rest and relaxation at the happy hour that he enjoyed with his brother Jesuits.

He deserved that and more, much more. As he approached retirement from full-time teaching after the 1991-92 academic year, I set out in the summer of 1991 to create the Rev. Victor F. Leeber Award in Spanish, to be given annually at the College of Arts and Sciences Awards Ceremony. With Theresa’s assistance and that of Fred Wheeler, Father Leeber’s brother George and his sister Mary, and Michael Boughton, rector at the time of the Jesuit Community, the Award became a reality. Let me conclude this brief remembrance of a good man by reading a sentence that I read the evening of April 23rd, 1992, with Father Leeber in attendance, at the first presentation of that award, which he himself made: “If we discount the years that Fr. Leeber spent studying for his STL degree at Weston College and for his doctorate at the University of Madrid, I calculate that he will have taught, in round numbers, 8,750 students, corrected 70,000 examinations, and read 87,500 quizzes.”

Rev. Victor F. Leeber, S. J.

May he rest in eternal peace.
Prof. Miners called on Professor Don Greenberg who gave a remembrance of Professor John Orman. He provided the GFS with scribbled notes in purple ink on a wrinkled piece of paper from which she reproduced the following:

John Orman was a trip. He was fearless and fearlessly foolish in his risk-taking. Who but John Orman would send Richard Nixon an invitation to his wedding? (Nixon didn’t show up.) He was naïve in a wonderful way in that nothing stopped him from doing what he thought was the right thing to do. Anything was worth a shot. His passion was boundless – for his students, especially, for music, and for pop culture. What made John so unique was his caring, his deep commitments, his unqualified love for his family. He lived his life always doing the right thing, that was simply second nature to him. It’s who he is. He was a heimische person – devoted to his family and completely devoted to Reenie. We miss him very much.

3. **Introduction of New Faculty.**

Prof. Mulvey gave a brief introduction of Senior Vice President Paul Fitzgerald, S.J., who was welcomed with warm applause. VP Fitzgerald called on each Dean and the Deans called on chairpersons or department members to introduce new faculty members in each department. Each new colleague was welcomed with applause.

In the Dolan School of Business, Dean Solomon called on faculty as follows:
Prof. Joan van Hise (Accounting) introduced **Professor Ahmed Ebrahim**;
Prof. Mark Ligas (Marketing) introduced **Professor Mousumi Godbole**;
Prof. Don Gibson (Management) introduced **Professor Mukesh Sud**.

In the School of Engineering, Dean Hadjimichael introduced **Professor Harvey Hoffman**.

In the Graduate School of Education and Allied Professions, Dean Susan Franzosa called on:
Prof. Daniel Geller (Psychological and Educational Consultation) to introduce **Professors Paul Maloney and Maureen Hinkley**;
Prof. Pat Calderwood (Curriculum and Instruction) to introduce **Professors Stephanie Burrell and Mahsa Kazempour**;

From the Center for Academic Excellence, Prof. Larry Miners introduced **Assistant Director Suzanna Klaf**.

In the College of Arts and Sciences, Dean Robbin Crabtree called on faculty for introductions as follows:
Prof. Jim Simon (English) introduced **Professors Tommy Xie and Shannon Kelly**;
Prof. Cecelia Bucki (History) introduced **Professor Liz Hohl**;
Prof. Adam King (Mathematics and Computer Science) introduced **Professor John Lasseter**;
Prof. Joe Dennin (Mathematics and Computer Science) introduced **Professor Chris Staecker**;
Prof. Marie-Agnès Sourieau (Modern Languages and Literatures) introduced **Professors Alexandra Coller, Francisco Meizoso, and Jenneth Wagner**;
Prof. Dennis Keenan (Philosophy) introduced **Professor Ryan Drake**;
Prof. Marcie Patton (Politics) introduced **Professors Eun Sook Jung and Sandra Johnson**;
Prof. John McCarthy (Psychology) introduced **Professor Mike Andreychik**;
Prof. Nancy Dallavalle (Religious Studies) introduced **Professor Martin Nguyen**;
Prof. Rose Rodrigues introduced **Professor Scott Lacy**;
Prof. Lynn Porter (Visual and Performing Arts) introduced **Professor Mariah Sage**.

4. **Remarks by the Senior Vice President for Academic Affairs.**

Senior VP Fitzgerald began by discussing the current class of students and the increased demand for financial aid of late. The class of 2013 is great – a good mix of genders, 1 in 5 are first in their families to attend college, 14.5% are Pell grant recipients, 16% are students of color, 24 different states are represented. This class includes the first group of 70 Magis scholars, selected for their academic and community engagement. Graduate program enrollment has increased 16% over last year (1084 last year and 1214 now); the largest graduate population since 1995. There has been increased demand, from returning students, for financial aid. We have overspent our internal financial aid
budget by $2.7 million, but budgets are statements about ones values and we continue to educate students from all walks of life.

VP Fitzgerald’s goals for the year are to push forward with the initiatives in the Strategic Plan. With regard to Living and Learning, there is a new synergy between academic and student affairs with Beth Boquet as Dean of Academic Engagement. With regard to Ignatian pedagogy, he announced that the CAE under the direction of Larry Miners received a 4th grant from the Davis foundation. This validates our work as Fairfield and its CAE become a resource for others. With regard to Core Integration, Kathy Nantz continues on as a leader, involved in conversations to identify and develop 5 or 6 markers to profile a Fairfield graduate. A new initiative involves global citizenship, Renée White will lead this effort on diversity and global citizenship. VP Fitzgerald will send out a formal description of the project and Renée’s job description.

VP Fitzgerald remarked on how meaningful his entrance into our community felt when he was able to share in our remembrances of Prof. Orman. He feels at home here and that “[he’s] come to the right place.” Homecoming Mass will be another opportunity to celebrate Prof. Orman’s life. His personal goals are to live in our community, to develop bonds of affection, to continue to be a colleague, friend and servant.

There were no questions.

5. Informational Q&A with Salary Committee on contract extension letters.

Prof. Susan Rakowitz, Chair of the Faculty Salary Committee (FSC), thanked the other members of the Salary Committee for their work: Sara Brill, Dave Crawford, Joe Dennin, Cheryl Tromley, and newly elected to replace Sara Brill, Rona Preli. With regard to the contract extension letter, she explained that without agreement on a new Memo of Understanding, the administration was unwilling to provide contracts. The administration offered a “Letter of Appointment” (LOA) about which the attorney paid for by the Faculty Welfare Committee/AAUP said we would be better off with contracts. So, we got the contract extension.

Prof. Miners opened the floor for questions and comments.

Prof. Rick DeWitt rose to comment on the contract extension letter as an individual and not as a member of the Faculty Welfare Committee (FWC/AAUP) Executive Committee. (1) Our contracts go back over 30 years. Every now and then, we have problems with the contracts and, in the past, the FSC worked with the FWC, since the FWC has a lot of expertise, to iron things out with the FSC having the final say. He wants the GF to know that this year has been different. The FSC has been flying solo and not working with the FWC. No criticism is intended, although this may not be a wise thing to do. Faculty should not assume that the contract extension letter is coming out of a collaborative process between FSC and FWC/AAUP. (2) The language from the FSC is sugar-coated. With regard to the “Letter of Appointment” (LOA) mentioned by the FSC, the FSC attorney said it was, in fact, a contract and would have gutted all the protections in our current contract. He enumerated the protections that would have been lost with the LOA.

Prof. Rakowitz responded that the LOA was a draft LOA and the FSC had opportunity to provide feedback to the administration.

Prof. Jocelyn Boryczka asked Prof. DeWitt specifically how is the FSC “flying solo”?

Prof. Kathy Nantz introduced herself as the President of the FWC and overseer of the relationship between the FSC and the FWC. There have been conversations about documents, a group saw the FWC attorney with FWC funds. Her experience is that the FSC and the FWC have met together, the FSC asked for input and conversations. The FWC Executive Committee is 8 individuals elected by the FWC membership. The FWC Steering Committee consists of these 8 individuals and the FSC. This year, there is no consensus on the FWC Steering Committee.

Prof. DeWitt responded to Prof. Boryczka as follows. The members of the FSC are the elected representatives of the General Faculty. There is no question about that. There is no requirement for the FSC to work with the FWC, but traditionally they have always worked together, but this year they have not.
Prof. Kurt Schlichting commented on the difficulties recruiting the freshman class, noting that the faculty must have input into allocation of resources. Is the FSC the right body to engage in these discussions?

Prof Miners suggested we move on to the next agenda item.

6. Informational Q&A with Salary Committee on upcoming proposals.

Prof. Cheryl Tromley, a member of the FSC, made the report for the FSC. She thanked the faculty for their patience, noting that the FSC wanted to get information out to the faculty as soon as possible. She reminded faculty of the “package” of fiscal and governance proposals that we voted on last May. All summer, the FSC has been meeting weekly with the administration. The FWC compromised and the administration compromised where they thought they could. From now on, the FSC will only be talking about fiscal issues since other matters discussed last year are outside their purview. There is a “roadmap” in the packet. The faculty need to look at this carefully and decide if this compromise is the least bad option. We need to proceed deliberately and afford due process, but for strategic reasons, we need to move quickly. A vote by the General Faculty before October 1 is in our best interest. Such a vote would send a strong message to the Board of Trustees. If we pass fiscal policies and the Board waits for governance, then it will be the Board dragging their feet. Prof. Tromley then discussed some specifics in the “roadmap”. She described the compromise as follows: everything we agreed to last year and two more concessions. Namely, move the figure of 10% contribution to retirement out of the Faculty Handbook and move details of (increased) life insurance out of the Faculty Handbook. These moves weaken the protection of these items but the commitment to the 95th percentile should provide some protection. She described where the administration has compromised as follows: backing off demands they made last year that descriptions of benefits (Anthem, TIAA, tuition benefits) come out of the Handbook, plus a revised Benefits Plan Overview (BPO) with details that weren’t easily accessible before.

Prof. Miners opened the floor for questions and comments.

Prof. Michael Tucker noted that there is an agreement to separate governance matters from fiscal policies. Will the administration support this separation? Suppose the faculty pass the fiscal policies, will the administration, including the President, fight for this?

FSC answered that the administration has not agreed to separate fiscal from governance. It is the FSC that said we will separate fiscal from governance and only deal with fiscal. The administration says that the Board may not agree to this.

Prof. Joy Gordon was granted the floor. She remarked that she is a lawyer, and when she practiced law, she specialized in contract law and business torts. She hasn’t been involved in the negotiations with the administration, but has done some research and spoke to colleagues, attorneys who specialize in nonprofit law at one of the largest firms in the state and at the Attorney General’s Office, with regard to the threats we heard all last year that the trustees would unilaterally amend the Handbook. Q. Is the Handbook part of a contract? Can the administration/trustees unilaterally alter it? A. The case law is very clear. A Handbook is part of a contract if it meets certain criteria: (i) there is no disclaimer indicating that the Handbook is not a contract (there is none); (ii) the Handbook is regularly adhered to (it is abided by regularly and faithfully); (iii) it contains the terms of employment (the bulk of our conditions of terms of our employment is in our Handbook). The law is very clear and consistent: our Handbook is a contract. There are no grounds for saying that our Handbook is not part of our contract.

Prof. Gordon continued, with regard to the ominous language about the Board’s responsibility to resolve matters where agreement cannot be reached, that language is under “Educational Policies” and clearly refers to policies and not documents. And, the fact that the provisions for amending the Handbook are stated in the Handbook provides further arguments against unilateral amendment. When she asked her colleagues if the trustees have any grounds at all for claiming the authority to unilaterally amend the Handbook, they said, “They’ve got nothing.”

Prof. Gordon continued with the fiduciary responsibilities of the trustees. In their threats to the faculty, the trustees seem to be suggesting that their “fiduciary duty” gives them additional rights, but the fiduciary duty is the duty of loyalty and the duty of care, for which the standard is just that of a prudent person. There is no right, under
fiduciary responsibilities, to unilaterally alter a contract. Prof. Gordon’s colleagues advised her that for the trustees to suggest so is “ludicrous”. If Fairfield were Gordon’s colleague’s client, he said the advice he would give would be, “What would be imprudent is to attempt to violate your governance documents by acting unilaterally, and creating liability for the University”. She noted that if we are expected to trust the legal judgment of the administration and their legal counsel, a quick search on litigation involving Fairfield might indicate that the University’s attorneys do not have the best track record here. There was one recent case which resulted in Fairfield paying $100,000 in regular damages and $60,000 more in punitive damages (which has a very high standard to meet), as well as probably another $100,000 in legal fees.

Prof. Gordon concluded with personal thoughts. Faculty are not helpless here. The risk of litigation to the University is much higher than any potential legal fees. An ugly public conflict over governance and unilaterally violating a contract will affect everything. A final thought is that the threats and intimidation tactics by the trustees are totally antithetical to Jesuit principles, what we teach every day is in stark contrast to the dishonesty and intimidation we have experienced.

Prof. Gordon’s remarks were followed by loud, sustained applause.

7. **Adjournment.**

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

The meeting adjourned at 5:32 PM.

Respectfully submitted,
Irene Mulvey
Secretary of the General Faculty
Proxies were held by: Jo Yarrington for Kim Bridgford
Jean Lange for Shelia Grossman
Jean Lange for Kate Wheeler
Cecelia Bucki for David McFadden
Danke Li for Giovanni Ruffini
Marti LoMonaco for Mariah Sage
William Abbott for Marie-Agnès Sourieau
Bob Epstein for Elizabeth Petrino
Bob Epstein for Emily Orlando
Brian Walker for Glenn Sauer
Ashley McKay for Phyllis Braun
Jen Klug for Tod Osier
Anibal Torres for William Vasquez-Mazariegos
Christine Siegel for Jennifer Goldberg
Peter Spoerri for Matt Coleman
Sharlene McEvoy for Arjun Chaudhuri
Curt Naser for Lisa Newton
Phil Lane for Hugh Humphrey
Laura McSweeney for Joan Weiss
Susan Rakowitz for Larry Miners
Susan Rakowitz for James Buss
Faith-Anne Dohm for Maureen Hinkley
John Thiel for Betsy Bowen
David Sapp for Sally O’Driscoll
David Sapp for Robbin Crabtree
Rick DeWitt for Jim Biardi
Curt Naser for Gita Rajan

Prof. Phil Lane, last year’s Faculty Chair, filled in for Prof. Larry Miners who was out of town. Prof. Lane called the meeting to order in DSB 110A/110B at 3:35 PM. He reminded faculty that Prof. Miners had appointed Prof. Rick DeWitt to be parliamentarian for the year.

1. **Announcements.**

Prof. Lane mentioned that the Faculty Salary Committee (FSC) had requested that the Secretary of the General Faculty (GFS) be prepared for ballot voting. Prof. Mulvey explained the ballots – some to be used when proxies were allowed and others for when proxies were not allowed.

Prof. Mulvey went on to explain the packet for the meeting and that she included in it all relevant documents and minutes of meetings. There has been a lot of talk of “successful resolution” of the matters before us. For the GFS, a successful resolution would not depend on the outcome of the votes, but would be a meeting where the faculty understood the proposals and made an informed decision by faculty vote after a robust discussion and debate. People need to understand the issues. She encouraged the faculty to ask any questions they had on content, on clarification, or on procedure. She noted that she made “mini-packets” for distribution that contained only the text of the amendments to be considered. She hopes that we can get through all the proposals from the Faculty Salary Committee and all the proposals from the Academic Council from the AC Subcommittee on Governance before the Board of Trustees meets next in December. We have only 2 of the 7 governance proposals on the agenda for today. If we don’t get to them today, we can almost certainly have all governance proposals that are through the AC to consider at the GF meeting in November.
2. **Approval of Minutes of the Meeting on May, 14, 2009.**

   MOTION, [Scheraga/Greenberg] to approve the minutes of the General Faculty meeting on 5/14/09 as circulated.
   MOTION PASSED.

3. **Report on presentation by invited faculty members to Board of Trustees.**

   Prof. Mulvey described what she had included in the packet, in particular the resolution passed by the Board on 10/1/09 (page 26). She noted that this is not an action item, but informational.

4. **Report by the Faculty Salary Committee.**

   Prof. Crawford, a member of the Salary Committee, made the report for the committee. He began by mentioning the administration’s commitment to the 95th percentile and how that commitment provided some protection for faculty. (1) Merit pay, as currently implemented, is bad. In the packet is a universal merit plan with a clause on consumer price index (CPI) which will be better for faculty. We made compromises to get this, one is taking health benefits “at no cost to the faculty member” out of the *Handbook*. Faculty will begin to pay 10% of their health care premiums and the administration will add $2250 to base salary for anyone who hasn’t already switched to cost-sharing. In the near term, at least, this should be revenue neutral. (2) The FSC is proposing a Memo of Understanding (MOU) and Benefit Plans Overview (BPO, an appendix to the MOU) that incorporates cost-sharing and the $2250. (3) The FSC is proposing changes to the *Faculty Handbook*. In addition to removing “at no cost to the faculty member” re health benefits, we propose to move the 10% figure of the University’s contribution to retirement out of the *Handbook* and into the Benefit Plans Overview (BPO), and we propose to move (increased) life insurance out of the *Handbook* and into the BPO. With regard to what’s different from the proposal the faculty voted down last May, the administration has backed off demands to move other specific details (Anthem, TIAA, tuition benefits) out of the *Handbook*.

   Prof. Lane opened up the floor for informational questions.

   Prof. Anibal Torres noted that in the MOU (Item F on page 48), the commitment to the 95th percentile is made “subject to financial limitations”. How is that determined? Answer: It is up to the Board.

   Prof. Mulvey noted that more and more of our benefit protections are dependent on the commitment to the 95th percentile. Given that, was there any discussion of putting the commitment to the 95th percentile into the *Faculty Handbook*? Answer: No.

   Prof. Curt Naser asked if there was a commitment to CPI even if there’s additional merit.
   Prof. Rakowitz answered that there is never a commitment to CPI. The commitment is “no additional merit unless standard merit is above CPI”. Prof. Naser asked if there were projections on possible compensation scenarios for upcoming years. Prof. Crawford said no one knows those projections. Prof. Naser said he assumed that the administration knows.

   Prof. Phil Shaw asked if the commitment to the 95th percentile took geography into account. Answer: No.

   Prof. Joan van Hise asked for specific clarification as to what, in the list of 6 items on page 31 of the packet, was or was not in the packet for last May 14. Answer: items 1 and 2 were in the 5/14 packet, items 3 and 4 were not. Prof. van Hise noted that the only things we’re getting refer to things we are losing.

   Prof. Joy Gordon asked for clarification on exactly what was meant by item 4 on page 31 of the packet. Is the proposal to remove the 10% figure of the University’s contribution to retirement out of the *Handbook* where it is protected and move it to the BPO where it’s protected only for three years? Answer: Yes.
Prof. Jean Lange asked if the “same or better” language would remain in our contracts? Prof. Rakowitz said the administration has not indicated any intention of changing that language. Prof. Dawn Massey asked if the FSC had that in writing. Answer: No.

Prof. Michael Tucker noted that the BPO is part of the MOU. Does the BPO continue in the event of no agreement on an MOU? Prof. Rakowitz said the MOU and BPO should agree.

Prof. John Lasseter asked re item 6 on page 31, what limits the rate of increase on health insurance premiums? Answer: for the next three years health premiums will be less than or equal to 10% of base salary and the increase will be less than or equal to 6% per year. Prof. Lasseter asked what happens after three years? Answer: nothing has been agreed to for after three years.

Prof. Steve Bayne noted that the documents we were being asked to consider require the new charge to the FSC that we approved last year and the Board did not approve. Why hasn’t the FSC included that new charge for the faculty to consider along with these documents? Prof. Rakowitz said the FSC would be bringing that back to the faculty and that they didn’t consider it urgent.

Prof. Sharlene McEvoy asked why is the administration insisting on moving information and not changing it for three years? Why not leave it where it is for three years? Why not wait? Prof. Tromley answered that the Board wants fiscal details out of the Handbook.

Prof. Dorothea Braginsky expressed shock that the faculty were using the word “negotiate” to describe the discussions as that word had always been forbidden in the past. Prof. Lane suggested it was time for a motion to be put on the floor.

**MOTION I [Rakowitz/Dennin].** 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.

Prof. John Thiel spoke in favor of the motion since the faculty approved this overwhelmingly last spring.

Prof. Dawn Massey spoke against the motion, as she did last spring. The FSC should not have drafted a merit plan, this is not under FSC purview. The merit plan doesn’t guarantee CPI and we should insist on that. The appeals process (last bullet on page 41) should be drafted before we approve the merit plan.

A ballot vote was conducted and proxy votes were allowed.

**MOTION I PASSED.** 132 in favor and 43 opposed.

**MOTION II [Rakowitz/Dennin].** 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.

Prof. Joy Gordon noted that passage of Motion II was dependent on passage of MOTION III and so we should vote on Motion III first.

**MOTION [Gordon/Massey].** To postpone voting on Motion II until after a vote on Motion III.

**MOTION PASSED.**

Motion III, edited with the underlined text, was put on the floor.
MOTION III [Rakowitz/Preli]. 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 faculty and the Board of Trustees of the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the 10/23/09 packet).

Prof. Gordon noted that the motion contains three changes to the fiscal policies of the Handbook: changes to health benefits, changes to retirement benefits, changes to life insurance benefits. She supports the cost-sharing on health benefits, but the changes to retirement are very detrimental to faculty, especially younger faculty. She thought we should deliberate and vote on each benefit change separately.

MOTION, [Gordon/Massey] to divide the question.
MOTION FAILED. 49 in favor, 90 opposed.

We returned to debate on MOTION III.

Prof. Greenberg spoke in favor of the motion. He asserted he is no friend of the administration, but felt we had made progress. It would be naïve to not expect the Board to act. He asked rhetorically, do we want to fight over this? Is it worth it?

Prof. Jo Yarrington felt we had negotiated a strength position.

Professor Leo O'Connor spoke in favor of the motion, noting that he has worked at Fairfield for 45 years and was the first chair of the FSC.

Prof. Massey spoke against the motion, noting that the commitment to the 95th percentile, which a lot depends on, is weak and not well-protected itself. The changes to retirement are very detrimental to faculty and we are getting nothing in return for giving those up. The proposals are bad for faculty, especially young faculty and faculty with children, and we should reject them.

Prof. Kevin Cassidy spoke in favor of the motion saying it’s not perfect but it is possible.

MOTION, [Dallavalle/second]. To call the question.
MOTION PASSED by the required 2/3

Motion III is an amendment to the Faculty Handbook and so must pass by 2/3 of those present and voting.

MOTION III PASSED. 105 in favor and 38 against.

MOTION II [Rakowitz/Dennin]. 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.

MOTION II PASSED. 134 in favor and 33 against.

5. Proposed Handbook amendments on Academic Council Executive Committee

This item was postponed until the next meeting.
6. **Adjournment.**

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

Respectfully submitted,
Irene Mulvey
Secretary of the General Faculty
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 and the Academic Council Subcommittee on Governance, which will take place at the General Faculty Meeting on 11/20/2009.

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 2008-09
www.faculty.fairfield.edu/gfs/ac08_09.htm for Academic Council meetings in 2008-09
www.faculty.fairfield.edu/gfs/gfmeetings09_10.htm for General Faculty meetings in 2009-10
www.faculty.fairfield.edu/gfs/ac09_10.htm for Academic Council meetings in 2009-10

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.

**October 13, 2009: Academic Council Meeting of 10/5/2009 reconvened 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).
MOTION TO BE VOTED ON AT GF MEETING 11/20/2009

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** 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 (8-9-0).
General Faculty Meeting  
November 20, 2009  
For Agenda Item 3

MOTION TO BE VOTED ON AT GF MEETING 11/20/2009

MOTION 2. That the General Faculty approve that the Faculty Handbook tenth edition (2006) be amended in section I.B.10, I.B.6., and I.B.7. paragraph 1. (New language is in bold and language to be deleted is marked with strikethrough.)

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 (5-12-0).
MOTION TO BE VOTED ON AT GF MEETING 11/20/2009

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 (13-2-1).
Supplementary Material for Agenda Item 3:

ACADEMIC COUNCIL MEETING
10/5/2009
Excerpt of Minutes

1. 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 the support of the Academic Council 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 administration 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 GFS and the SVPAA, so a net of two administrative votes. Now, it’s the SVPAA and GFS. 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.
Supplementary Material for Agenda Item 3:

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 should 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 ballot voting ensued. Ballot voting is to be continued from prior meeting.

MAIN MOTION PASSED: 13 in favor, 2 opposed, 1 abstention
MOTION 4. That the General Faculty approve that the Faculty Handbook tenth edition (2006) be amended 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.

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**At the Academic Council Meeting on 10/13/2009, the following MOTION PASSED:**

12 in favor, 0 opposed, and 3 abstentions (12-0-3).

**MOTION.** The AC recommends that the General Faculty approve that the handbook be amended to give authority for the approval of the governance documents of schools to the President of the University.
Supplementary Material for Agenda Item 4:

ACADEMIC COUNCIL MEETING
10/13/2009
Excerpt of Minutes

Preliminary: We must consider recommendations 4 and 5 (p. 23)

**MOTION.** The AC recommends that the General Faculty approve that the Handbook be amended to give the authority for the approval of the governance documents of schools to the President of the University.

DeWitt: I’m not against motion but in favor of holding off until we have an opportunity to ask why things are the way they are first.
Fitzgerald: I’m in favor of the motion. There is a temptation for the Board to micromanage. Any changes in normal procedures that would leave decision making to the appropriate faculty are a good thing. Bringing decisions back into normal governance of faculty is a good idea.
Massey: What do other schools do?
Fitzgerald: I am a Trustee at Loyola, Chicago and Loyola Marymount. On neither would the Board look at program maintenance.
Boryczka: I speak in favor of the motion. Return of the governance to the faculty and the president is important and valuable.
Mulvey: I agree with Paul and Jocelyn but oppose doing voting on this now. It’s important to find out why things are as they are.
DeWitt: We have another meeting in 2 weeks. It would be embarrassing for us to pass this and the Board to then reject it.

**MOTION.** (DeWitt/Massey) To postpone voting on the main motion until the next AC meeting.

Bernhardt: I’m opposed to postponement. The original motion is clear. It is unlikely for us to unearth any history to rewrite this.
Tucker: I’m opposed to postponement. This motion has been circulated with plenty of time for comment.
Mulvey: A couple of emails are unlikely to unearth anything new but I want to take care to listen to comments.

**MOTION.** to call the question.
**MOTION.** to call the question PASSED. 14 in favor, 2 opposed, 0 abstentions (14-2-0).

**MOTION.** to postpone FAILED. 3 in favor, 12 opposed (3-12-0).

**MAIN MOTION PASSED.** 12 in favor, 0 opposed, 3 abstentions (12-0-3).
MOTION TO BE VOTED ON AT GF MEETING 11/20/2009

MOTION 5. That the General Faculty approve the following amendment to 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 *non voting* *ex officio* members.

At the Academic Council Meeting on 10/13/2009, the MOTION below PASSED with 13 in favor, 0 opposed, and 1 abstention (13-0-1).

**MOTION.** The Academic Council recommends the General Faculty approve the following amendment to 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 *non voting* *ex officio* members.
Supplementary Material for Agenda Item 5:

ACADEMIC COUNCIL MEETING
11/2/2009
Excerpt of Draft Minutes

7. Old Business

a. The AC EC, as directed by the AC, sent out request for consideration and input regarding the proposed governance amendment to Public Lectures and Events Committee (pages 60-62 of the packet). The PL&E Committee’s considered response is on pages 62-64 of the packet. The proposed motion for AC is on pg. 64 of AC packet for Nov. 2.

Questions
Prof. Massey asked as to why no voting rights on this particular committee vs. others where there is vote for ex officio? Prof. DeWitt noted that the original recommendation by the governance subcommittee was non-voting. In going through this material, Prof. DeWitt looked into voting/non-voting privileges in the Handbook. Prof. Rakowitz noted that the sub-committee suggested that the ex officio would be a non-voting member. If the faculty want to be more consistent, we need to straighten all the text of handbook at once. SVPAA Fitzgerald pointed out that in most cases ex officio members are voting members, and he feels that this should be the case. Nonetheless, he respects PL&E’s decision for a non-voting member. Would like to see it standardized to voting voice.

MOTION. [Tucker/Bernhardt]: The Academic Council recommends the General Faculty approve the following amendment to 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 non voting ex officio-a members.

MOTION PASSED: 13 in favor, 0 opposed, 1 abstention.
Supplementary Material for Agenda Item 5:

ACADEMIC COUNCIL MEETING  
10/13/2009  
Pages 60-64 of the AC 11/2/2009 packet

Memo

To: Ashley Byun McKay, Chair, Public Lectures and Events Committee  
From: Rick DeWitt, Academic Council Executive Secretary  
Date: 10/19/09  
Re: Academic Council motion concerning PL&E Committee

At its 10/5/09 meeting, the Academic Council passed a motion requesting the Public Lectures and Events Committee consider and report back to the Council on a recommendation involving the PL&E committee.

Below we have included the text of the motion along with the relevant section of the minutes from the AC meeting. We have also included items from AC members concerning the recommendation, and the section of the AC Subcommittee on Governance Report relevant to the motion. The entire AC Subcommittee on Governance report and the complete minutes of the relevant AC minutes can be found on the Faculty Secretary’s website.

We would ask that you consider this and report back to us at your earliest convenience, including any relevant documentation (for example, minutes of meetings at which this is discussed).

As always, thanks for your work on this important committee.

Motion and minutes from AC meeting of 10/5/09

MOTION [DeWitt/Tucker]: That the Academic Council pass on recommendations numbers 3, 6, and 7 to the relevant committees to consider and report back to the Academic Council.

Prof. Rakowitz noted that regarding number 3, the Public Lectures and Events Committee informally provided her with feedback; they did find in favor already and found very productive. On the other two, number 6 we are asking for the subcommittee. For number 7 it’s fuzzy whether they are a committee; she’s not sure what to make of that.
Prof. Mulvev stated that procedurally we should send this to the Public Lectures and Events Committee and get something formal from them that they think it’s a good idea and why. For number 6 again, procedurally it is better for us to get the Student Life Committee to weigh in on the recommendation. For number 7, the Budget Committee is not a Handbook committee and we elect three representatives (point of information). We should send it to these committees for information and recommendation.

The vote was held by ballot.

**MOTION PASSED:** 9 in favor, 8 opposed.

**Items from AC members regarding the proposal to add the VP for Marketing and Communications to the PL&E committee membership. These arose after the 10/5/09 AC meeting, and so do not appear in those minutes.**

1. The recommendation is for the VP of Marketing to be a non voting *ex officio* member. Our Handbook language tends to be more unclear than necessary about the voting vs. non voting status of *ex officio* committee members. Sometimes an *ex officio* member explicitly does have voting rights, sometimes explicitly does not, and sometimes it is left unspecified. Officially (i.e., according to Roberts Rules), unless otherwise specified an *ex officio* committee member does have voting rights. So it would be better to clarify this in the proposed Handbook language. Maybe the PL&E committee could propose modified language for the Handbook that makes the voting/non voting issue clear, both for the VP of Marketing/Communications as well as for the Director of the Quick Center.

2. Should both the Director of the Quick Center and the VP of Marketing and Communication be on the PL&E Committee? Perhaps the PL&E Committee could consider whether it would make more sense to have only the VP of Marketing and Communication on the committee.

**Section from AC Subcommittee Report with recommendation 3, regarding membership of the Public Lectures and Events Committee**

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.

[End of memo from ACEC to PL&E Chair]

[Email, Chair of PL&E to ACEC]

From: Ashley McKay [sbyun@fairfield.edu]
Sent: Thursday, October 22, 2009 6:55 PM
To: Richard DeWitt; Preli, Rona'
Cc: Downie, David; Xiao, Jiwei; Rosenfeld, Gavriel
Subject: Minutes from the PLE meeting

Attachments: minutes PLE 10 20 09.doc

Hi Rick, Rona,
I’m sending you the minutes from the last PL&E meeting. We discussed the proposal put forth by the Academic Council that the VP of marketing be a non-voting ex-officio on the committee. We have voted in favor of this proposal and did outline our reasons for voting as such. The PL&E does not object, so long as the ex-officios are non-voting members. We believe that both the VP and director of the Quick Center should be non-voting ex-officio because they provide the PL&E with different kinds of information as well as the important links to the University community as a whole. As such, we believe they enhance our ability to effectively carry out the charges and duties of the PL&E.

Please let me know if you have any questions or whether any issue needs clarification.

Cheers
Ashley
[Excerpt of Minutes from PL&E meeting of 10/20/09]

Public Lectures and Events Meeting, Tuesday, Oct. 20, 12:30 – 1:30 Bannow 318

In attendance: David Downie, Jiwei Xiao, and Ashley Soyong Byun McKay. Elizabeth Hastings, Rama Sudhakar, and Thomas Zingarelli attended the meeting as guests of the committee.

1. Discussion of the VP of Marketing and Communications/Director of the Quick Center as ex-officio (proposal sent by Academic Council)

At this point, the guests left the meeting so the faculty members of the PLE could meet in closed session.

Ashley introduced the background for the issue under discussion. Susan Rakowitz had approached Ashley as Chair of the PL&E Committee and asked for the opinion of PLE with regards to the PLE having Rama possibly attend the committee meetings as an ex-officio. Susan asked if Ashley could present it as a vote to the PL&E Committee. Since the next PL&E meeting was not scheduled until October 20 and Susan wanted to know how the committee felt before the Academic Council meeting, the PL&E Committee conducted an email vote. The PL&E Committee unanimously agreed that the committee had no objection to Rama attending as a non voting ex-officio. Ashley then reported this committee decision back to Susan who then asked her to relay the information to Rick and Rona. Ashley did just that. Now Academic Council passed the motion requesting the PL&E Committee to discuss the motion passed at the Academic Council meeting and their recommendations regarding the proposal to add the VP for Marketing and Communications to the PL&E committee membership.

The PL&E committee discussed Academic Council’s recommendations and agreed that:

1. The PLE Committee had no objection to having the Vice President for Marketing and Communication added to the PL&E committee as a non-voting ex-officio. All three present committee members, Ashley, David and Jiwei, noted that when they joined the committee in fall 2008, Rama Sudhakar (VP for Marketing and Communications) was already occasionally attending committee meetings as a non-voting guest in order to provide information (Vote 3-0).

2. The PLE committee agreed that the reason it had no objections to the VP for Marketing and Communications attending PLE committee meetings, as a non-voting ex-officio, was because she can contribute information relevant to PLE discussions and can assist PLE efforts to facilitate and promote faculty initiatives and coordinate campus events.

3. The PL&E Committee had no objections to both the Director of the Quick Center and the VP of Marketing and Communication to attending PL&E Committee, as a non-voting ex-officio (Vote 3-0). The PLE committee agreed that the reason it had no objections because the two positions possessed different sets of information and could assist the
committee in different ways. The Quick Center Director is involved with day-to-day activity related to the operation of the Center and is very familiar with its schedule, facilities, marketing, etc. The VP for Marketing and Communications is responsible for the entirety of University of publicity and media issues and thus commands expertise on a broader array of issues. She can also act as a conduit to other senior administrators concerning the work of the PLE committee, if desired by the PLE committee.

[End of minutes from PL&E Committee]

Proposed Motion from ACEC re agenda item 6a for Council Consideration

Motion

The Academic Council recommends the General Faculty approve the following amendment to 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 non voting ex officio a members
MOTION TO BE VOTED ON AT GF MEETING 11/20/2009

MOTION 6. That the General Faculty approve the following proposed text to replace the language of the *Faculty Handbook* regarding the purpose and duties of the Salary Committee in section I.C.b.13.

General Purpose
To engage annually in collegial discussions regarding faculty salary and benefits with an administrative team appointed by the President.

Specific Duties
i. to start collegial discussions with the administrative team by October 1 of each year with the shared goal of reaching agreement on a Memo of Understanding to present to the General Faculty for approval.
ii. to review the Benefits Plan Overview for Full-Time Faculty, recommending changes to the General Faculty as appropriate.
iii. to review the text of the annual contract letter before it is sent to faculty.

At the Academic Council Meeting on 11/2/2009, the MOTION below PASSED:
10 in favor, 1 opposed, 0 abstentions (10-1-0).

MOTION. That the AC recommend to the GF that it approve the following proposed text [as stated above] to replace the language of the *Faculty Handbook* regarding the purpose and duties of the Salary Committee in section I.C.b.13.
Supplementary Material for Agenda Item 6:

ACADEMIC COUNCIL MEETING
11/2/2009
Excerpt of Draft Minutes

7. New Business:

a. Proposed Handbook amendment re charge for Faculty Salary committee.

Information is on page 74 of the packet.

Discussion
The Chair explained that the AC (and the GF) already voted to approve this last spring. Board of Trustees did not approve the change, so AC is now returning to this proposal. Prof. Rakowitz pointed out that p. 74 of AC handout clarifies what the FSC already does, and makes the FSC role consistent. Prof. Massey asked if there was any reason this particular item could not be revisited to make it stronger? Felt that the change does not go far enough, and might use language such as “negotiation”. Prof. Dennin felt that, informally, the administration does use “negotiation.” If this word were formally used in a change to the FSC responsibilities, there would be objections by the Board of Trustees. Prof. Dennin remarked that he would like to see this get done, and agrees with Prof. Massey’s point that things can be stronger, but that the spirit of “negotiation is what is accomplished in faculty/administration discussions. He remarked that the current language is supported by administration and a new version might be rejected. Prof. Massey asked if there has been any conversation this year about this proposal. Prof. Dennin responded no, all conversations were last year.

MOTION [Rakowitz/Tucker]: That the AC recommend to the GF that it approve the following proposed text to replace the language of the Faculty Handbook regarding the purpose and duties of the Salary Committee in section I.C.b.13.

General Purpose
To engage annually in collegial discussions regarding faculty salary and benefits with an administrative team appointed by the President.

Specific Duties
i. to start collegial discussions with the administrative team by October 1 of each year with the shared goal of reaching agreement on a Memo of Understanding to present to the General Faculty for approval.
ii. to review the Benefits Plan Overview for Full-Time Faculty, recommending changes to the General Faculty as appropriate.
iii. to review the text of the annual contract letter before it is sent to faculty.
Discussion
Prof. Massey proposed an amendment to the proposal.

**MOTION to amend.** [Massey/Lyon] In i., replace “collegial discussions” with “negotiations”. In ii., insert “and the administration” between “General Faculty” and “as appropriate” to read, “recommending changes to the General Faculty and the administration as appropriate.”

Prof. Rakowitz spoke against the amendment, arguing that the current language that uses “collegial discussions” in section i. accomplishes the same goal. Prof. Massey spoke in favor of amendment, and felt it extremely important to put bi-directional nature of discourse in the proposal. Prof. Mulvey thought that if motion gets voted down, the AC should still favor the change in section ii. Prof. Rakowitz argued that the AC and GF would have no sense that the administration would approve the suggested amendments. Prof. Massey argued that just because administration would not approve the amendment does not mean the faculty should not say what it thinks is right. Prof. Dennin spoke against the motion, arguing that the amendment puts the faculty behind schedule and that this is detrimental to the faculty. Prof. Lyon spoke in favor of motion, arguing that the faculty can still send a message about its desires, and the Board of Trustees can, if it wants, reject the amendment and return the document to us. SVPAA Fitzgerald spoke against the motion, arguing that the current process works, and the language of the original motion captures this. Dean Franzosa argued that “negotiation” as wording might capture the intent of the original motion, but this word may have legal connotations, and cautions the AC on this. Prof. Dennin argued that in point of reality, the faculty do negotiate, so the original wording is not an issue. Dean Solomon spoke against motion, arguing that the FSC does not negotiate. He argued that “negotiation” assumes both sides are equal in terms of give and take, but this is not the case, for the Board of Trustees has the final say. To put “negotiation” in the motion would be a misnomer. Dean Crabtree argued that this document has been negotiated as is, and that the AC should stick with the original motion and move it forward.

**MOTION to amend FAILED:** 2 in favor, 9 opposed, 1 abstention.

**MOTION to amend.** [Massey/Lyon] In ii., insert “and the administration” between “General Faculty” and “as appropriate” to read, “recommending changes to the General Faculty and the administration as appropriate.”

A **MOTION to CALL THE QUESTION** [Tucker/second] on the motion to amend was made immediately and PASSED by the required 2/3 vote; 9 in favor, 3 opposed, 0 abstentions.

**MOTION to amend FAILED:** 3 in favor, 7 opposed, 1 abstention.

**MAIN MOTION PASSED.** 10 in favor, 1 opposed, 0 abstentions.
Supplementary Material for Agenda Item 6:

ACADEMIC COUNCIL MEETING
11/2/2009
Page 74 of the AC 11/2/2009 packet

[Memo from FSC to ACEC re amendment to Handbook language concerning FSC]

From: Susan Rakowitz [srakowitz@fairfield.edu]
Sent: Monday, September 28, 2009 10:10 PM
To: Preli, Rona; 'Dewitt, Richard'
Cc: Mulvey, Irene; Crawford, David; Dennin, Joseph; Tromley, Cheryl
Subject: Agenda item for AC

To: AC Executive Committee
From: Susan Rakowitz, Chair, FSC
Re: Proposed Handbook Amendment regarding charge to the Salary Committee

Last Spring both the General Faculty and the Board of Trustees approved the following motion to amend the Handbook regarding the charge to the Salary Committee. Because the Board's approval was contingent on other motions that did not pass the faculty, the Handbook was not amended. We would like to bring this motion back to the Council for reconsideration this semester.

Motion: that the Academic Council approve the following proposed text to replace the language of the Faculty Handbook regarding the purpose and duties of the Salary Committee in section I.C.b.13.:

Current text:

General Purpose
To receive and make specific recommendations each year to the appropriate administrative officers regarding faculty salaries and other wage benefits.

Specific Duties
i. to keep under continuous review the whole question of faculty salaries and scale.
ii. to keep abreast of available fringe benefit programs relating to matters such as retirement, health insurance, life insurance, education for dependents, etc.

Proposed replacement text:

General Purpose
To engage annually in collegial discussions regarding faculty salary and benefits with an administrative team appointed by the President.

Specific Duties
i. to start collegial discussions with the administrative team by October 1 of each year with the shared goal of reaching agreement on a Memo of Understanding to present to the General Faculty for approval.
ii. to review the Benefits Plan Overview for Full-Time Faculty, recommending changes to the General Faculty as appropriate.
iii. to review the text of the annual contract letter before it is sent to faculty