

FACULTY COUNCIL
Minutes
Wednesday, March 27th, 2019
3:00-5:00 PM – CLC 206, WTC; IC 332, LSC; MNSN (location TBA)

Members Present: Battaglia, G.; Brown, J.; Classen, T.; Conley, J.; Dahari, H.; Elsky, J.; Gillespie, L.; Graham, D.; Holschen, J.; Johnson, B.; Jones, P.; Jules, T.; Kang, H.; Langman, L.; Lash, N.; Martin, C.; Miller, H.; Patel, P.; Pierre, D.; Pope, L.; Roberts, E.; Shoenberger, A.; Venu, M. **Guest:** Zelda Harris, Chair, University Senate

1. Meeting was called to order at 3:02pm by Chair (Classen). Zelda Harris, Chair, University Senate, introduced and greeted.
2. Visit from Provost Margaret Callahan
 - On the possibility of Loyola adopting a sabbatical leave system: one of the questions will be whether sabbaticals will be automatic or involve an application process. The sheer numbers might be prohibitive, even if sabbaticals come only once every seven years. I'm not opposed to it, in all honesty, as long as there are clear expectations and an application process. The budget for next fiscal year is already in place, so the earliest anything could be put in place would be the following year.
 - Subvention of paid leaves: I asked CAS about this. The inclusion of benefits along with salary is not a new policy, according to them. Discussion.
 - As several of the letters written in response to recent discussions indicated, many people (including department chairs) were unaware of the "policy."
 - We have been told that, in the great majority of cases where leave funds did not meet the threshold for subvention, the CAS Dean used their discretion to permit a subvention anyway. But this leaves too much discretion in the hands of individual administrators: a "policy" which is normally overridden is hardly a policy.
 - I (MC) will take a look at the figures of numbers of competitive internal leaves, subvented grants, *etc.*
 - Enrollments have been very large lately, but that is not a goal to pursue. Nor do current indicators show that they will continue. Teaching technology/distance-learning: we need to address expanding our distance-learning programs nationally, as other universities like Georgetown have. We've asked our new director of online learning to come up with estimates of what our investment in such technologies should be.
 - *Question:* where do you see the balance working out between research and teaching for full-time faculty? MC: we cannot be a "Research 1" University: it would take, by my estimate, and annual ongoing investment of something like \$100M to become one. But we can be the best "Research 2" university there can be. We are going to be building on the infrastructure of our research capacity in the next year

or so. (This will especially be the case out at the Medical Center, but we will also do a lot of work at Lakeside campuses.)

- *Question:* What kind of support will University be providing, going forward, for scholars and students doing work in international topics and venues? MC: in some schools there are research funds for that; in others, not. There is no central fund, as far as I'm aware, in the University to support the kind of research you're mentioning. Presently the University handles these matters at the school level, using discretionary funds of deans. We should talk some more about this: the University is in the middle of trying to figure out what his international presence should be (aside from Rome, of course). Perhaps, as you suggest, we should add a more general consideration of support for international research activity.
- McNair/ELLP scholars programs: Simply put, the application for the McNair program was not submitted on time. The next funding cycle will be fall of 2022. In the meantime, we will do what we can to keep the momentum of McNair scholars' research going. ELLP: I made the decision to end the program this year: the small (and declining) number of students involved did not seem to merit continuing the program. We presently, and will always, provide English-language tutoring services to those of our students who require them; what we will not be doing, going forward, is funding this particular program. *Question:* the closing of the program came as a surprise to affected students, and made them wonder whether this would impact their visa applications. MC: we are devoting resources to make sure that it will not, and that they will not have to worry.
- Overload pay policy: There has been, in the past, differences in overload pay between different schools — deans have been afforded discretion in the matter. But I am sensible to your arguments, and the deans are presently looking at this issue. I think it is very reasonable to look particularly at some of the lower levels of overload pay.
- Policy and the data on NTT vs. TT faculty: I just got the most recent datasheet just before walking over here. We have 500 tenured and TT faculty across the Lakeside campuses and 81 in Maywood. In CAS there are 72% full-time faculty and 28% part-time. (We can't drill this data down to the department level.) We have been largely consistent over time, but one area where we have seen an increase in part-time faculty has been in the School of Business. This presents a problem, since schools of business have strict accreditation requirements involving percentages of full-time and part-time faculty, and the issue will have to be addressed before the next accreditation process.
- Strategic plan: Plan 2020 is ending December 31. By early fall we should have some significant working groups, as inclusive as possible, developing a new strategic plan. Discussion of research/teaching balance will be an important part of discussions in the new strategic planning process.
- Parkinson SHSPH: organization is moving along rapidly. About 65 faculty are presently being appointed or cross appointed to the new school. Mostly these are from Public Health in SSOM, and from Dietetics, Health Systems Management,

and Exercise Science in MNSN. But any faculty who would like to request cross- or secondary appointments are welcome to do so. A website for the new school is already up.

- SSOM Basic Sciences BSI program: In about 40% of medical schools nationwide, compensation plans include an incentive component, in lieu of a portion of salary, to reward and incentivize research activity. Two years ago we revised our own BSI plan, which had rewarded grant applications by faculty, not actually obtaining grants; we did not think this was sustainable. For FY17 there were 17 faculty who achieved salary recovery at the 30-39% level; 7 at the 40-49%, and 5 at >50%. (No one in these cohorts was exempt from the 15-hour teaching requirement.) *Discussion:* unpredictability of winning grants (especially in a time of decreased federal funding); resulting inability to do year-to-year salary and financial planning.
 - Student retention statistics: From 1st to 2nd is 87% (85.1%, according to OIE website); 6-year is mid-70's (74.2%, OIE). The latter can be considerably improved.
 - *Question:* Many years ago, the University would provide data to the faculty on an annual basis, showing numbers of faculty in each school at rank, as well as the average salary in each school (and in divisions within schools) for each rank. That information has not been supplied for over 15 years now. Could we please go back to it, perhaps through the Office of Institutional Effectiveness?
 - *Question:* Apart from having an assistant provost for diversity, what, concretely, is the University doing to promote hiring and retention of a more diverse faculty? For example, in hiring processes, departments and schools can request a "diversity advocate" to attend and offer comments on the hiring process. In my own experience as such an advocate, and from my conversations with other colleagues who have served as advocates, we have gotten a lot of negative pushback from hiring committees. This seems to be a university-wide problem. MC: we are not doing as well with faculty diversity as we might; this is an area which needs a great deal of improvement.
 - "Target of opportunity" and spousal hiring: MC: Loyola does both, and in a number of academic units. We do what we can; what we cannot do is put spouses in the same academic unit, where one might have administrative responsibilities over the other.
3. Approval of February 27, 2019 minutes. Moved (Langman); second (Conley). Motion passed (18-0-1).
4. Chair's Report:
- Pres. Rooney, Provost Callahan, Faculty Senate chair Zelda Harris, and I met March 1 to discuss various issues around shared governance. We came up with the idea of a task force on shared governance, to be chaired by Zelda and me. This will begin over the summer. Please consider nominating yourself or others, particularly those who have not been involved in shared governance before, from your unit to the task force. We would like a robust representation from each school, hopefully from all ranks.

- Provost search: some modifications of the ad are being made, and the new ad will be posted shortly.
 - Faculty Appeals Committee: Has now been staffed; see proposal from AAUP attached to minutes. Discussion. Moved (Miller); second (Lash). Motion to postpone (Graham); second (Langman). Motion postponed to April.
5. Updates on Previous Issues (Classen)
- New teaching evaluation online system to replace idea is coming up shortly. I've invited Dean Slavsky of OIE to come speak to us about.
6. Motion to adjourn (5:03pm) (Conley); second (Lash).

Respectfully submitted by
Hugh Miller, PhD, Secretary

Resolution for Faculty Council (02-25-2019)

- Whereas the Loyola University Chicago Faculty Handbook lists the Faculty Appeals Committee as an instrument of shared governance at this university;
- Whereas in Academic Year 2017-2018, no members had been appointed to this committee;
- Whereas in Academic Year 2018-2019, members were only appointed after an appeal had been made and referred by the President;
- Whereas, in Academic Year 2018-2019, two members initially appointed to the FAC were from the same academic unit;
- Whereas disciplinary action resulting from a Title IX investigation is now imposed by members of the administration without faculty review;
- And whereas federal law requires those participating in a Title IX case to receive eight hours of training;

Be it resolved that the Faculty Council strongly advises the following changes to the Faculty Handbook:

1. that the Faculty Appeals Committee is a standing committee that is in place when the academic year begins;
2. that the process for selecting members is transparent and consistent;
3. that members of this committee are elected by Loyola University faculty;
4. that the members of this Committee and their email addresses are posted on the University website when the academic year begins;
5. that there is fair representation of the University community, with no two members from the same department/unit;
6. that a separate faculty appeals committee (FAC for Equity Issues) be established to review disciplinary action regarding cases of equity, including disciplinary action resulting from Title IX complaints; members of this committee will be elected by the faculty and, consistent with both federal and state law, will undergo Title IX training, for which they will receive a stipend;
7. that before a faculty member is disciplined after a Title VI or Title IX investigation, the faculty appeals committee for equity complaints review the investigative report and hold a hearing with the faculty member and witnesses, unless the faculty member waives their right to an appeal;
8. that the FAC for Equity Issues make a recommendation for disciplinary action to the Provost and President.

Submitted by:

Pamela L. Caughie (English, Appeals Advocate for Loyola's AAUP Chapter)
Tisha Rajendra (Theology, University Senate representative)
The Executive Committee of Loyola's AAUP Chapter

Supporting documentation: Please see the 2016 report on "The History, Uses, and Abuses of Title IX" by the American Association of University Professors (<https://www.aaup.org/report/history-uses-and-abuses-title-ix>).

"Specifically, this report identifies the following areas as threats to the academic freedom essential to teaching and research, extramural speech, and robust faculty governance:

- The failure to make meaningful distinctions between conduct and speech or otherwise to distinguish between "hostile-environment" sexual harassment and sexual assault.
- The use of overly broad definitions of hostile environment to take punitive employment measures against faculty members for protected speech in teaching, research, and extramural contexts.
- The tendency to treat academic discussion of sex and sexuality as contributing to a hostile environment.
- The adoption of lower evidentiary standards in sexual-harassment hearings (the "preponderance of evidence" instead of the "clear and convincing" standard).
- The increasing corporatization of the university, which has framed and influenced the implementation of Title IX by colleges and universities.
- The failure to address gender inequality in relationship to race, class, sexuality, disability, and other dimensions of social inequality."

The report states:

- Overly broad interpretations of what constitutes a "hostile environment" are increasingly undermining academic freedom, and the enforcement of Title IX does not adequately protect due-process rights and academic governance.
- The imprecision in definitions of sexual harassment has been accompanied by an OCR-mandated change in evidentiary standard that conflicts with due-process protections of faculty members and students.
- Through shared governance processes, faculty members must be included in all stages of the development, implementation, and enforcement of sexual-harassment policy.