

Oct. 19 Minutes:
by Alanah Fitch

Present: Alanah Fitch, John Makowski, Harvey Boller, Walter Jay, David Mirza, Ian Boussy, Bill Schmidt, Gerry McDonald, Dawn Lynn, Janis Fine, Robert Bireley, Allen Schoenberger, Kerry Cochrane, Chris Kendrick, Alan Raphael, David Schweickart, Patti Jung, Gordon Ramsey, Peter J. Schraeder, Nick Lash, Marta Lundy.

The meeting opened at 3 p.m. in the Rubloff auditorium with a reading by Bill Schmidt of Psalm 51. Minutes of the September meeting were approved with minor spelling changes.

The Chair's Report by Gerry McDonald covered communications received by the chair.. The final composition of the shared governance task force had not been announced. Gerry McD felt that the list of individuals asked to serve was reasonable. G.M. had an informative meeting with Jim Calcagno, chair of the Faculty Affairs University Policy Committee (FAUPC) with respect to the revision of the Appeals and Grievance document which suggests the document is still being revised but on schedule. Staff council has proposed co-sponsoring a TGIT day, the first should highlight new plans for the Lake Shore Campus buildings. John Frendreis and Bill Laird will visit with Faculty Council (FC) to discuss the university budget.

The Chair also reported on deliberations by the **executive committee** (EC) has reiterated a proposal to move forward with a FC evaluation of shared governance. A committee structure will need to be devised and a specific charge given. The EC suggested inviting Tom Kelly in to discuss benefits.

The Chair noted that FC committee preferences were expressed and the only committee which did not get volunteers was the "Committee on Committees" that John Frendreis would like FC to reinstate. It was suggested that a broadcast email be sent with a brief description of the types of committees that need populating by faculty and the work load associated. An alternative is to directly ask members of home departments to volunteer. In addition to the normal committees the ad hoc communications committee was discussed. Fred Barnhardt is willing to chair it if it continues.

Shared Governance Motions

A shared governance motion was put forward by David Schweickart (please see attached). Because of extensive prior discussion, discussion was limited. The motion was seconded by Bill Schmidt. The motion on the first three provisions (previously discussed) passed 18 in favor, 0 opposed, 0 abstentions. One change suggested was to change IC from "deliberations" to "comments".

Faculty Appeal and Grievance Procedures

Jim Calcagno (Chair of the FAUPC) joined FC for a discussion and answer period on the procedures being developed. His opening remarks indicated a great willingness to have FAUPC work closely with FC. He indicated that the "Appeals" draft was the work of the FAUPC while chaired by Paul Jay in the preceding year. Comments on the draft were solicited and received by a large number of full and part-time faculty, the AAUP, and the University Counsel. The comments

take up seven pages which have been categorized by type. The current FAUPC feels that the draft should be ready to move forward by the end of the semester.

Allen Schoenberger, chair of the **FC Faculty Status committee (FAFSC)**, brought forth a number of comments/concerns raised by his committee. First the method of populating the Appeals committee will need to be revised as it is difficult to get enough faculty who would be willing to serve. Second, the proposed document is an expansion over previous documents from just “appeals” to “appeals and grievances”. The FC Faculty Status committee (FCFSC) does not feel that the grievance side merits as much effort as the appeals side and should, ideally, be composed of two separate procedures. Third, the “appeals” committee should be clearly designated as a “hearing” committee. The current document suggests that it is an “investigative” committee which implies actual searching out of information. Fourth, the FCFSC is not convinced that “expertise” is a requirement for selection above and beyond being a faculty member and, consequently, expertise should not be used to populate the appeals committee. The FCFSC suggests assignment to appeals cases from a list of 22 names from which one is called on a first come first serve basis. The list of 22 names should not be selected by the President.

Jim Calcagno asked if these were comments that were raised in the drafting of the document last year and Allen S. indicated that issues with the selection process were raised, but not issues with respect to the “investigative” form of the committee. Jim Calcagno asked for a “hard copy” of the FCFSC comments within the next two days to be added to comments already received by the FAUPC.

Additional discussion on the “appeals” process ensued. David Schweikart suggested that FC nominate a slate of individuals to be voted on for the committee of 22 from which appeals committees would be formed. Criteria for revocation of tenure is not in the document and does not appear in the faculty handbook, this may be an issue (comments of Walter Jay, Nick Lash, Allen Schoenberger, and Jim Calcagno). The process of the appeals committee was also discussed. Alan Raphael asked for clarification of the statement that the majority of the appeals committee can over rule the chair of the appeals committee except for matters about the validity or reliability of the document. Jim Calcagno responded that this fell under the category of the extent of the appeals committee’s chair’s powers over which there had been many comments external to the FAUPC and within the FAUPC. Walter Jay similarly felt that the ability of such chair to remove committee members was problematic. Allen Schoenberg, who has served on such committees, indicated that the discussion can be very heated and the chair needs some powers to retain control of the process. Walter Jay questioned if the composition of the committee should be different for revocation of tenure of a full or associate professor as compared to denial of promotion and or tenure of an associate professor or assistant professor. Allen Schoenberg suggested that full professors should probably be used for committees hearing cases involving revocation of tenure since full professors are less vulnerable to pressure from the provost or president if a decision is made that is not consistent with the wishes of said administrators. The role of an assistant to the appealing faculty member as not being an attorney was discussed. What happens if the faculty member is in the law school?

Discussion with John Frendreis, Acting Academic Vice President

John Frendreis began his visit by commenting on the prior discussion on appeals and brought some historical context to the need for revision. The gist of his comments are that the current document is a blunt instrument which allows only for revocation of tenure and for no other disciplinary action.

John Frendreis responded to a variety of questions. Nick Lash asked if a major restructuring of the library system was probable. John Frendreis indicated that restructuring of the 25 East Pearson building with respect to the law library was possible in order to create space for a courtroom. The upper administration is also revising its view of how a library is primarily used (study space vs book space). At the water tower campus there is an increasing presence of undergraduate students.

Bob Birely pressed for confirmation that the book budget would be increased.

The staffing of the Rome Center was discussed. John Frendreis indicated that staffing of the Rome Center would be based on student needs not on faculty rotation. Based on student needs classes would be identified and then faculty to teach them. Those faculty may be LSC campus faculty or may not. The academic content of such classes should be reviewed by the Rome Center advisory committee whose charge is academic curricular matters. Once those needs are filled then the needs of faculty (for research in Europe or Rome) could be considered.

David Schweikart asked how a policy could be set which governs the number of faculty from Chicago campuses that should be at the Rome Center for any given term. John F. replied that the Academic Affairs UPC could make a recommendation to him on policy of staffing.

Adjournment

Motion on Shared Governance

In the interests of giving the only elected university-wide body of faculty a greater and more formal role in our evolving structure of Shared Governance, Faculty Council requests that the following changes be made in the existing structure. Part I concerns the relationship between Faculty Council and the University Policy Committees in general. Part II proposes a stronger relationship between Faculty Council and the UPC most directly concerned with faculty affairs, namely, the Faculty Affairs UPC. Part III addresses the selection of faculty to serve on the various UPC's.

I. Regarding the general relationship between Faculty Council and the University Policy Committees, it should be policy that:

- A. Faculty Council be informed by the UCC of each policy issues sent to a UPC at the time the policy issue is sent to the UPC.
- B. Faculty Council be informed of each policy recommendation a UPC intends to send to the President.
- C. Those policy recommendations deemed by Faculty Council to have significant bearing on faculty interests be brought before the Faculty Council for discussion, comment and a vote (Faculty Council may not amend the proposal, although the relevant UPC may choose to do so in light of the Faculty Council deliberation. If it does so, the amended proposal should be brought before the Faculty Council for

consideration.)

- D. If a proposal that has been rejected by the Faculty Council is sent to the President, and the President does not concur with the vote of the Faculty Council, he respond to the Faculty Council in writing, setting out the reasons for his decision.

II. Regarding the special relationship between Faculty Council and the Faculty Affairs UPC, the Faculty Affairs UPC will

- A. Keep the Faculty Council apprised of policy recommendations under consideration by the FAUPC by sending a monthly report to FC;
- B. Submit preliminary recommendations to FC for deliberation and vote before sending them on to the President;
- C. Revise or withdraw any proposal that fails to secure Faculty Council approval;
- D. Submit any revised proposal to FC for deliberation and vote;
- E. Not forward any proposal to the President until it has been endorsed by FC.

III. Regarding the selection of faculty to serve on University Policy Committees, it shall be policy that Faculty Council shall work with the University Coordinating Committee in appointing Faculty to serve on the University Policy Committees.

- A. It is understood that appointments should reflect relevant expertise.
- B. Faculty Council may nominate faculty to serve on the UPCs.
- C. The UCC will make the initial selection of faculty to serve on the UPC.
- D. The UCC will give serious consideration to those candidates nominated by FC, but is not confined to this set.
- E. The UCC selection of faculty to serve on the UPCs must be confirmed by Faculty Council.
- F. Faculty Council will select the Chair of the Faculty Affairs UPC from among those faculty members appointed to that UPC.