



University Senate
General Assembly
Meeting Minutes
April 26, 2019

Active Senators Present: Francis Alonzo, Terence Boyle, Ben Feilich, Mario Guerrero, Margaret Heller, Zelda Harris, Sarita Heer, Michael Kelly, Peter Kotowski, Phil Hale, Diane Jokinen, Todd Malone, Goutham Menon, Lorraine Ozar, Brittany Rebarchik, Gabrielle Robinson, Richelle Rogers, Tania Schusler, Susan Uprichard, Abraham Singer, Nancy Tuchman, Michael Kaufman (ex of. in lieu of Margaret Callahan), Tim Classen (ex of.)

New Senators Present: Kristen Kruger, Kelly Moore, Ashly Howdeshell, Maria Wathen, Tobyn Friar, Kathleen Steinfelds, Niki Safakas, Carlos Martinez, Thomas Sailese

Absent: Laura Goldstein, Tisha Rajendra, Adriana Caballero, Emily Chin, Daniela Altamirano Crosby, Jeremiah Martin (ex of.), Kaitlin McMurry, Sergio Ortiz, Steven Todd, Margaret Callahan (ex of.), Jo Ann Rooney (ex of.), Anita Nasser (new)

Quorum (21/31): voting members present at start of meeting; quorum is **satisfied**.

Chairperson Zelda Harris called meeting to order at 3:05 PM.

I. Review of preliminary agenda and call for motions to amend

Sen. Heer motioned to move the item regarding ELLP (7c) to the first slot after review of the minutes due to guests who wanted to address the Senate who were unable to stay until the end of the meeting. Voice vote, motion passed by majority.

II. Review of minutes from the March 22 meeting

No calls to amend. Sen. Heer moved to approved. Sen. Jokinen seconded. Voice vote, motion passed by majority. Minutes are approved.

III. Information Item: Closure of English Language Learning Program (ELLP)

Chair Harris introduced the item: This item was under the umbrella of concerns about shared governance at the university.

- No documentation available in the meeting documents, as the executive committee had information based only on conversations and emails.
- Information from the provost's office is that it was a collective bargaining issue and therefore they are unable to discuss the matter.

Sen. Heer said that the contract was a public document and does not prevent shared governance, and introduced guests to provide additional context about the program,

- Linda Rousos (ELLP Faculty and Tutor)
- Ryan Nowack (Associate Director of ELLP).

Sen. Heer provided background on the ELLP program.

- This program gives international students language skills to continue on in college.

Ms. Rousos stated that as far as the ELLP faculty knows, there is no plan to continue the services provided by the ELLP. Ms. Rousos added that there was little notice and limited communication about the closure.

Mr. Nowack gave additional information from his perspective as a new staff member hired in December 2018. He was hired just 5 months ago to create a business plan for ELLP which is complete, but the administration never looked at it. Mr. Nowack stated that ELLP is a recruitment tool for the university, and is self-sustaining with no budget losses, with \$30,000 in profit this year. The program brings a small profit in the immediate sense, but also profitable in that they bring students lacking language skills but who would otherwise not be admitted, and thus indirectly are responsible for approximately \$12.5 million in tuition dollars through the students who have taken their program. Within a 4 year period, the students they have brought in would have paid \$4.5 million in tuition. They support the university and are here for a purpose, but Mr. Nowack does not feel the university administration understands this. He was asked to prepare reports for the President and Provost, but was never given a chance to present this information.

Chair Harris asked if it was his understanding that students would be able to get services in some other way, or if the service was entirely gone. Mr. Nowack reported that these students would have had conditional enrollment, and as far as he knew those students wouldn't be served. Sen. Uprichard added that she thought that was an important point to ensure students with conditional enrollment could be served.

Sen. Jokinen read a few selections from the April 24, 2019 edition of the *Loyola Phoenix* that implied that students would not be accepted if they did not have the language skills and noted that many found this article very unwelcoming. She stated that we were at a time we needed to be more welcoming to international students.

Sen. Guerrero asked about the requirement for TOEFL scores and what type of scores these students had. Mr. Nowack answered that 80 was the cutoff, and they usually had students coming in right under that in the 78-79 range.

Sen. Kotowski pointed out that the Mission Examen stated we would work for underrepresented students, and this did not seem to be in line with that. He felt that the administration should address this in their response.

Sen. Tuchman wanted to know if there were numbers and if there had been recent changes. Mr. Nowack answered that the program had been in existence for 42 years. Currently has 71 students, which is in line or better than peer institutions. Enrollment normally goes up and down over the years. The program has served hundreds of students, and would be turning a profit.

Sen. Boyle addressed the way the faculty in ELLP were treated in union contract negotiations, which he felt was poor, and was concerned that students had not yet been informed.

Ms. Rousos responded that the decision was uninformed and unilateral. English language learning is like learning any other language, but harder in this context due to the pacing. ELLP is part of a global industry. She has been in the field for decades and has never seen administration treat a program like this before, and sees this as an important problem with shared governance.

Sen. Uprichard pointed out that there was a lot of support at the Senate, but that we needed to work directly with the ELLP faculty to ensure a complete response. Chair Harris reminded us that the Senate does not convene again until the fall, which would be too late for the program, and asked for a motion.

Sen. Boyle asked if we could put together some sort of response, and suggested that it include that this decision indicated a corporate reality vs. a stated ideal of community reality.

Chair Harris asked if a senator could draft a response and we vote on it electronically. Sen. Heer offered to write a response. Sen. Singer moved that Sen. Heer write the letter and the Senate vote on it electronically. Sen. Kelly seconded. Discussion: Sen. Tuchman asked for timeline, and the agreement was May 1. Sen. Uprichard reminded all guests to forward their materials to the EC so they could work with Sen. Heer. Sen. Ozar added that the response should focus on the decision-making rather than making a case for the program.

20 in favor, none opposed, 1 abstention. Motion carries.

IV. Information item: E-vote results on Act to Impose Attendance Requirements for Senators

Chair Harris reported that the act to impose attendance did not pass. 19 in favor, but would have required 20 to pass. The bylaw committee will reconvene in the fall and base the new act on the discussion already held.

V. Information item: Mission Examen Self-Study Report release

Chair Harris reported that the Mission Examen report is now available, and encouraged Senators to read the report and use the language in it to hold the Senate and University accountable to stated values.

VI. Information item: Loyola University Chicago Speaker Contract

Chair introduced the item, which came from colleagues in the College of Arts and Sciences. There are two documents: a speaker policy from 2016 and a speaker contract from 2018. There was confusion if the contract superseded the policy. Chair Harris reached out to the Provost's Office for clarification, and they confirmed that the contract was for commencement speakers or other speakers paid a high fee.

Sen. Ozar asked if this would apply to Catholic Center for Intellectual Heritage speakers. Chair Harris said that would not be required from her understanding. Sen. Ozar said the contract should be retitled. Chair Harris said that it was her understanding that anyone could engage speakers on their own, and that this contract was at the university level.

Sen. Classen said that President Rooney apologized for the miscommunication and that the title of the contract should be "Commencement Speaker Contract". Sen. Tuchman said they were also required to sign this contract in IES for their Climate Change Speaker Series that were large events with 1000 people. Sen. Classen said that it was his understanding it was only for commencement, and the exact coverage should be specified. Sen. Ozar asked that the exact scope be clarified.

A guest, Dr. Suzanne Kaufman from the History Department gave additional background: This was something that the College of Arts and Sciences had been dealing with since last November. The director of the Medieval Studies program was told all speakers had to sign the contract. In early April, the Dean of Arts and Sciences sent this out to all chairs and told them all speakers had to sign the contract. It was only upon all the chairs responding to this with complaints that the Provost stated it was a mistake. This mistake seemed to be at multiple levels. It was being stated the mistake was made by a business manager, but it was also at the level of the Dean.

Sen. Kelly asked the role of the Senate in this matter. He felt that it was a possible incursion on free speech, and that this would not have stood in the School of Social Work either. Chair Harris answered that the appropriate response was a question of the jurisdiction of the Senate. The Senate could weigh in on policy, but if the policy had not changed, it had to address the policy, not the contract.

Sen. Jokinen pointed out that giving the University rights to recordings of intellectual material would prevent scientists from giving research talks. Sen. Menon said that he thought the piece about rights to recording was due to difficulties in getting this right after the fact for items that needed to be archived.

Some additional discussion by senators about whether the speaker policy and contract were in conflict, and suggestions that they both needed clarification if they would both be in use.

Sen. Classen pointed out that the media policy was also retracted quickly after complaints.

Guest Ian Cornelius from English and Medieval Studies felt that the speaker contract was not rolled out in Arts and Sciences as a mistake, and asked the Senate to respond with a lack of confidence is this being a “mistake”.

Sen. Singer moved that the Senate expresses its concern about the introduction of the speaker contract and that the speaker policy clarify when the speaker contract is applicable. Discussion: Chair Harris asked that our concern be larger. Sen. Singer pointed out that he agrees, but that speaking was a very important issue and warranted particular focus. Chair Harris suggested that it was a larger problem. Sen. Hale added that the development of a free speech policy was more important than the actual policy, and would require periodic review. He felt that the university policies should all be reviewed periodically, and review periods should be stated, and needed to happen whenever the law changes. He would add to Sen. Singer’s motion that all policies should be reviewed regularly and shared governance should weigh in on policies. Sen. Singer said that the motion should apply to this policy only. Sen. Singer asked to table the motion for now, and Chair Harris asked that we return to it before 5 PM. The Senate agreed by consensus to review a motion to pass a resolution before the end of the meeting.

VII. Discussion and vote: Resolution Calling for Loyola University Chicago to Re-Examine Its Tobacco Use Policy

Sen. Schusler introduced the resolution. She reiterated that this was a matter brought by the SGLC, and referred to the Student Success Committee. That committee focused on tobacco use policies at peer institutions. There was a general sense based on the discussion at the last Senate meeting that there were unanswered questions, and in the interests of transparency the resolution asked for more work to be done to answer these. The resolution called for review in a number of areas, including that a survey to be conducted, a working group be formed; and specification of formats, environmental impact, and cost impact. Sen. Robinson added that the resolution does not ask for the creation of a tobacco-free campus, but that the working group evaluate the tobacco-use policy and if there was support for tobacco-free to recommend that. She also added that Georgetown had just enacted a tobacco-free policy for August 2020, so this was a priority of other Jesuit institutions. Chair Harris pointed out that this just applied to Lakeshore only. Sen. Tuchman asked if this applied to LUREC or Cuneo. Sen. Robinson said it did not, but could be a topic for the working group.

Guest Dr. Pamela Caughie said that a former discussion of this was an issue of student safety. Sen. Robinson said that was a topic of discussion and would involve Campus Safety.

Chair Harris called for a vote.

In favor: 18

Opposed: 0

Abstentions: 3

Motion carries.

VIII. Discussion item: Continued concerns over shared governance structure at Loyola University Chicago

The first item considered was the announcement of a Single Provost and Chief Academic Officer. Chair Harris introduced the background of this item.

President Rooney issued the announcement about this on March 28, 2019. On April 3, the LUC chapter of AAUP sent a letter to the President with concerns, and on April 18 the President responded to this. Chair Harris opened the matter for discussion.

Sen. Boyle said that he felt the President's response was misleading, since shared governance bodies were not actively involved. Chair Harris responded that she too was concerned, and this was not a matter that she or Tim Classen ever discussed with the President. Sen. Classen responded that the announcement of the single provost model was provided to the search committee without additional information and they were asked not to share.

Sen. Kelly said that the letter clearly indicated that the decision was made by an external auditor who said that a single provost model was best practice and the Board of Trustees agreed. The concern is that while this may be best practice, shared governance bodies were not given this information.

Sen. Tuchman said that as a dean she has concerns for the ability of a single provost to work effectively with all the deans. They now are asked to meet with other people in the Provost's Office. She feels that the deans should have been given an opportunity to provide input on this.

Sen. Ozar said that she agrees and wants to state that we are concerned this was made for patent disregard for shared governance. The statement from the President miscommunicated the role of shared governance.

Chair Harris asked for information on the timeline for where the new job announcement would be made. Sen. Classen said that the search committee would be meeting soon to finalize the job announcement, but the single provost model was done.

Michael Kaufman said that everyone at his level found out the same way. He said that he thinks that President Rooney would say that this is her prerogative. He would be able to share some advice about how to address this moving forward. Sens. Uprichard and Boyle said that it would be important to understand how best to provide advice to the President.

Sen. Menon said that there was an issue of miscommunication, but a more important issue was that there were decisions being made without any plan for how they would be carried out. Decisions such as this may be the best, but without a plan, the uncertainty creates more problems.

Sen. Jokinen said that she agrees, and this decision seemed to be a knee-jerk reaction to the failed search. Seeing a plan would be helpful, since the job seemed to be too large for one person, and it was important to know how the university administration anticipated covering this work.

Sen. Guerrero said that President Rooney presented this to the SGLC. His understanding that this was to unify all the campuses, and felt that it was a good introduction to the issue. He will provide the material to the Executive Committee.

Sen. Kotowski said he joined in the worry about reaction to failed searches, and was analogous to the failed search for VP of Advancement.

Guest Dr. Pamela Caughie was on the body that drafted the letter, which was signed by 80 faculty. She emphasized that the question was not whether one or two provost model was correct, but that shared governance should have been included in the discussion. When the role of communication and review of shared governance is ignored, those bodies need to push back. She encouraged the Faculty Council and University Senate to respond in a strong manner to this announcement.

Guest Dr. Hille Haker gave her perspective as an endowed chair. When she started the Provost met with endowed chairs, which was then delegated to the dean. She felt that over the years many such items had collapsed, and asked the Senate to speak up to represent the faculty.

Dr. Kaufman responded that his understanding that the Provost has decided to search for a position for a Vice Provost for Research. Since we are moving to a one provost model it will necessary to ensure all campuses are served equally. He is willing to join in the effort to improve shared governance.

Sen. Uprichard added that it would be helpful to get documentation of administrative tasks once held by the Provost.

Chair Harris moves that the Executive Committee would draft a response and push it out for a vote electronically. Discussion: Sen. Uprichard said the committee could draft and send it out for input. Sen. Boyle asked that the language be very strong and point out the lack of transparency. Sen. Ozar said that this is too important to not pass, and Senators should have a chance to provide feedback to ensure it does not fail due to disagreements in language. Chair Harris said that the work would have to be done by 2018-2019 Senate.

Sen. Heer seconds the motion. 20 in favor, 1 abstention. The motion carries.

The second item was a discussion of the potential Loyola Museum of Art (LUMA) Closure. This item was introduced by guest Dr. Marilyn Dunn of the Fine Arts department, who presented background. The museum founded in 2005 to take the Martin D'Arcy collection, and moved into a new facility with an attempt to expand the collection and provide access. It was moved with a \$7 million grant from the State of Illinois, and it was accredited in 2013, which was a big deal for a university museum to be accredited. When the senior curator and director left three years ago, no attempt was made to replace those positions. Two and a half years ago the then President and Provost convened a committee to re-envision the museum. They issued a white paper two years ago with recommendations. Last winter they got in touch with administration for follow-up and got word that the administration would share news soon. Dr. Dunn received word recently from the sole curator that she was leaving because the university would not support the museum unless it was self-supporting. She cited an article in the *Loyola Phoenix* that said the peer city institutions all have museums. Administration assured the committee that they did intend to keep the Martin D'Arcy collection, but canceled all public programming and public exhibitions with no plans for next years. The museum has been moved under Conference Services with the intention to use it for conference space. All student worker positions are terminated. Tom Kelly said that the university intended to suspend accreditation because the minimum number of open hours was too expensive. The Fine Arts students rely on the collection, and many other departments do as well for classes and internships, and it was unclear how students would have access to the collections if there was no staff. The collection has international renown, and is a service to the students.

Chair Harris asked Sen. Heer if there was an advisory body that was convened. Sen. Heer said that she did not have confidence in this. She wanted to register concern.

Sen. Uprichard said this seemed to go along with other matters where there was no plan put forth. Sen. Boyle countered that the *Loyola Phoenix* article said that the plan was related to budget issues only, and this seemed to be in line that.

Sen. Ozar said that it seemed to her that the issue was maybe of accreditation. It might be too expensive to maintain a museum level museum, and it should be made clear that it was for academic purposes.

[Sen. Robinson left at 5 PM]

Chair Harris pointed out that we were at time, and we needed to know the urgency. Sen Heer said that it was an issue of the museum being put at a disadvantage for 3 years by not hiring museum professionals. Chair Harris said that it would be useful for members of the audience to suggest resolutions to Senators.

Guest Magdalena Mastrandrea, a student from the Art History department and student curator gave an overview of her perspective, which was published in the Loyola Phoenix of April 10, 2019 as an op-ed. LUMA is important to students and draws in members of the public, students from all departments, and other schools. LUMA gets positive press for Loyola. Museums are not designed to make money, they are to be a resource. All other universities in Chicago have museums and we have a good location and could do well if we invested in the resource.

IX. New Business and Announcements

David Slavsky, Director, Office of Institutional Effectiveness announced that the university did not renew the contract with IDEA Labs, and put together a review committee with faculty input to review. They received 4 RFPs, and had three presentations on campus. The committee rejected IDEA Campus Labs proposal. The contract will end in August. They have just finalized a contract for a product called Smart Evals. It is a different product, and the Office of Institutional Effectiveness will work with all departments to understand the differences. It is customizable at every level, and can ask different questions at the department/course/section level. It will require everyone to start thinking about what to measure, and will give many additional analytical levels. It will help to measure the level of implicit bias in evaluations. There are many additional advantages.

X. Vote: Resolution Regarding the Speaker Policy of Loyola University Chicago

Sen. Singer read the following text.

Whereas, there have been worrisome incidents regarding the “Speaker Contract” being sent inappropriately to guest speakers in the College of Arts and Science as a requirement of their speaking ;

Whereas, despite the claim that this was simply an error, there is worry amongst the faculty and the university community that this was part of a broader pattern of confusion and miscommunication regarding the correct deployment of the “Speaker Contract”;

Whereas such worries and confusion have a chilling effect on academic freedom and the free exchange of ideas at LUC;

Whereas the free expression and exchange of ideas by external speakers is crucial for a university committed to values of openness and academic freedom;

Whereas the free expression and exchange of ideas would be protected by an explicit policy regarding which speakers need not sign the “Speaker Contract”;

BIRT, The University Senate empower the Executive Committee to...

1. ... express the senate’s worry and concern over this pattern of miscommunication and confusion;
2. ... demand that the “Speaker Policy for Loyola University of Chicago” of 2016 be updated to specify when the “Speaker Contract” is meant to be deployed, and when it need not be deployed, so as to prevent future confusion on this issue and to protect Loyola’s commitment to the free exchange of ideas;
3. ...and that this Policy be so clarified in consultation with the university community, and be reviewed periodically in accordance with changing laws and professional norms.

Chair Harris called for a vote.

In favor: 20

Opposed: 0

Abstentions: 0

Motion carries.

Sen. Heer moved to adjourn. Sen. Uprichard seconded. **Meeting adjourned at 5:15 PM.**

Members of the Senate for the 2019- 2020 year convene

Quorum (20/31): voting members present at start of meeting; quorum is **satisfied**.

[Carlos Martinez left at 4 PM]

1. It was confirmed that Mario Guerrero would remain as a student member for 2019-2020.
2. Chair Harris asked Susan Uprichard to run for chair. Chair Harris will remain on the Senate as a member, and thanks everyone for the opportunity to lead them.
3. Elections for Executive Committee:

a. Nominations:

