

Chair's Report – March 1, 2011
Professor John Robinson, Law

My report tonight is, I fear, a bit longer than either you or I would like it to be.

First, I have transmitted the resolutions on the proposed changes in the qualifications for inclusion in Notre Dame's Special Professional Faculty and in the substance of Notre Dame's Conflict of Commitment Policy to the chair of the Academic Council's Faculty Affairs Committee. Although that committee has had one meeting since I transmitted those resolutions to its chair, I do not know, and, therefore, cannot say, what impact those resolutions (or comments on the policy from other sources) have made or will make on the members of that committee. As soon as I know anything in that regard AND am allowed to say anything to you about the impact that either of our resolutions has made, I'll pass that information along to you.

Second, and with relation back to my first point, the Faculty Affairs Committee of the Academic Council still seems to be operating under what might best be called an embargo-system. By that I mean that as different proposals come before the committee, the members of the committee are required not to discuss them outside of the committee while the committee deliberates their soundness and modifies their language. Only after the committee is comfortable with a draft proposal that the chair sends out for comment are we, the other members of the committee, free to share that draft with our constituents or even to let them know that we've been working on the issue that the draft addresses.

This "successive" model of interaction between the Academic Council and (among others) the Faculty Senate strikes me as distinctly inferior to the "simultaneous" model that allows for, even invites, a back and forth between the two bodies as a proposal is making its way through each of its committee structures. A "You can let me know what you think of my idea once I've put it in final (or penultimate) form" approach marginalizes the down-stream criticism of it and creates a take-it-or-leave-it scenario where a we-can-work-it-out scenario would, in my judgment, be much more productive.

To illustrate these bureaucratic abstractions, the Academic Council, at its last meeting, approved the Post-Doc proposal that the Advanced Studies Committee of the Council had offered to it for adoption. At the Council meeting at which that proposal was adopted, there was no substantial criticism of it, and the reason for that consensus about it is due, in large part, to the extensive consultation that Panos Antsaklis, the chair of the Advanced Studies Committee, engaged in *while* the proposal was being developed. In particular, he kept Judy Fox and our Academic Affairs Committee, which she chairs, in the loop on this proposal all during the fall semester. He was, in addition, quite responsive to our committee's proposals as to how his committee's draft document might be improved.

I apologize to you for running on about what may appear to be an arid bureaucratic matter, but, were the successive model that is being employed in the Faculty Affairs Committee of the Academic Council this year to become the preferred model in the other committees of the Council, that would, in my judgment both marginalize the Senate and result in suboptimal – because, quite literally, uninformed (or under-informed) – policy decisions on the part of the Council. I will be addressing this matter here and in other venues as this winter gives way to spring – may that time be upon us soon.

Tonight, we have a full schedule. In just a few minutes, Father Thomas Doyle, the successor to Father Mark Poorman as Notre Dame's vice president for student affairs will join us to respond to some concerns that I conveyed to him over the course of the past few weeks and to sketch for us his vision for his office. I am sure that you will join me in welcoming him here as our guest and that you will be sensitive to the constraint under which he operates when it comes to addressing questions that involve particular individuals or the particulars of any current controversy. I have told him that, as our primary task is to suggest improvements in University policy insofar as that policy affects the academic climate here, he can expect our questions to address policy issues much more than they address concrete particulars.

After Father Doyle has left our midst, we will take up the proposal that Phil Bess has been waiting patiently for some time for us to take up. I do not know, but I suspect that there may be more than the usual amount of feeling on both sides of this question. John Gaski, the chair of our student affairs committee, will preside over the discussion of the Bess proposal. I have asked him to give as many voices as wish to be heard on this matter a chance to speak. I am asking each of you who choose to speak on this matter to be sensitive both to the time-constraints under which we operate and to the bona fides of those of your colleagues who disagree with you with respect to the Bess resolution. What binds us together is our mutual respect for each other and our shared awareness that what brings all of us here in the dead of winter as much as on delightful spring nights is a common desire to make Notre Dame as good a university as it can be. We cannot afford to let disagreement over how to do that blind us to our common commitment to that objective.

We turn now to welcome Father Doyle.