

MINUTES

Faculty Senate
September 6, 2005

The meeting began at 7:15: Seth Brown chaired.

The members introduced themselves.

Joni Warner gave an opening prayer.

1. The minutes from May 4, 2005 were approved without amendments.

2. Chair's report.

As a reminder of the Senate's purpose, the chair read the charge to the FS as given in the Academic Articles—a broad mandate:

The senate's range of concern extends to matters affecting the faculty as a whole and to matters on which a faculty perspective is appropriate. The senate seeks to formulate faculty opinion and for this purpose may, at its discretion, conduct faculty meetings and referenda. The senate also receives from other groups in the University items requiring consideration by the faculty. With respect to matters of academic concern, the recommendations of the senate are referred to the Executive Committee of the Academic Council, which shall place the recommendations on the agenda of the council.

Questions to take up in committee meetings in setting the agenda for the coming year: What issues affect the faculty, and how can we help improve the University? What structural changes might help better integrate the FS effectively in the workings of the University?

3. Election of delegates to the Campus Life Council.

One of last year's delegates, Ramzi Bualuan, described the committee and its functions, and agreed to run, as did Gail Bederman. Both were elected by acclamation.

4. Election of a delegate to the Traffic Appeals Committee.

John Stamper was elected in May but has asked to resign because he has joined the Executive Committee. Kevin Misiewicz agreed to run and was elected by acclamation.

The senate broke into committee meetings at 7:15 and reassembled for committee reports at 8:15.

5. Student Affairs.

Gail Bederman chaired and reported in Philippe Collon's absence. Agenda issues for the year:

Formalized student-generated public comments on teaching, which are still in process.

Student academic freedom inside and outside the classroom: what are the current explicit or practical restrictions? Do students, and should students, have academic freedom, and in what degree?

Problems of student conduct at athletic events (e.g., scurrilous chants at basketball games)

The committee would like to learn more about what is being done on the issue of adequate and regularized student communication with the administration, which was identified in both of the latest external reviews as an ongoing problem. After discussion, it was agreed that the FS would invite a representative from the provost's office to discuss the matter with the committee.

6. Benefits

Nasir Ghiaseddin reported on the committee's discussions with Human Resources and distributed a memo about pending changes. Ongoing issues:

HR is seeking in the medium run to shift a greater proportion of healthcare costs to the faculty, and the committee is trying to minimize the financial consequences to the faculty.

The committee will continue to take up the retiree health plan in relation to Medicare prescription benefits.

A new issue: living quarters for visiting scholars.

The chair invited the FS to contact committee with concerns and questions.

Members raised questions about the potential implications of pending changes in payment calendar, particularly for professional specialists and lower-paid staff, and the possible effects if Congress indeed votes to make tuition benefits fully taxable.

7. Administrative Affairs.

Collin Meissner reported. Agenda items for year:

A planned invitation to the new provost to address the FS as body

A planned invitation to associate provost Chris Maziar, who hopes to revise the Academic Articles for consistency, correspondence to actual practice, and elimination of redundancy, for discussion with the committee

Issues about the current constitution of search committees for the selection of University officers and other important administrative committees, and what can be done to secure adequate FS representation on them

The effort to establish a regular FS presence at the regular retreats at the beginning of the academic year.

Discussion of faculty involvement in general and FS involvement in particular in several bodies ensued.

8. Academic affairs

John Robinson reported. Three longstanding issues:

The status of and issues confronting special professional faculty, especially in the liberal arts, and the degree to which the FS can and should work on their behalf.

The effect of electronic fora on varieties of faculty publications and rates of publication, and the reception of such publication in the course of faculty evaluations such as renewal, tenure, and promotion.

The currently limited role of faculty in making major academic appointments, and what can be done to improve involvement and develop a legitimate sense that the faculty meaningfully participates in these processes. The overlap of this issue with those raised by the administrative affairs committee was acknowledged.

Other issues worth considering in future but which committee doesn't plan to take up this year:

The status of adjunct faculty

Issues about the small group of faculty designated as research faculty

Causes and effects of reported staff reductions, e.g., at the Snite

9. Old business

Seth Brown reported that FS minutes will be appearing in ND Report from here on in: the backlog is about to be cleared up, and the goal is to publish them one month in arrears.

10. New business

A question was raised about the apparent proliferation of possibly overlapping internal publications., e.g., NDWorks. It would be good to have a clearer sense of what they are designed to accomplish, with input from faculty about what kinds of communication they in particular might find most helpful. It was suggested that it might be helpful to invite someone like Matt Storin for discussion either with the whole FS or an appropriate committee. The matter will be referred to the Executive Committee for followup.

Meeting adjourned at 9 pm.

Respectfully submitted,

Julia Marvin
Co-Secretary

Faculty Senate
October 5, 2005
MINUTES

- 1) An informal reception with Provost Burish preceded the meeting.
- 2) The meeting was called to order at 7:20 pm; Seth Brown chaired.

The senators introduced themselves.

John Stamper gave the opening prayer.

- 3) The minutes from the September 6th, 2005 meeting were approved without amendments.

4) Chair's Report:

The chair welcomed Provost Tom Burish to the meeting. In contrast to the usual format for provost meetings with the FS, i.e., FS members asking questions of the provost, Provost Burish furnished a list of questions for our consideration and discussion:

- What role does the Faculty Senate currently have, and what role should it have, particularly vis-a-vis the other faculty committees on campus?
- In what ways, and in what areas, is the Senate best able to play a generative or constructive (in contrast to responsive) role?
- How can we [administration] improve communication among faculty, Deans, and the Provost's office? What do the faculty want to know from the administration that we're not hearing? Conversely, what do faculty want to tell the administration that we're not saying?
- How can we promote and properly recognize interdisciplinary work? What are the barriers that prevent such work, particularly across colleges?
- How can we enhance research and graduate education without compromising undergraduate education?
- What should *not* change about the University as we go forward?
- What advantages are offered by our Catholic character, and how can we best leverage them? Conversely, what obstacles are posed by our Catholic character, and how can we overcome them?
- How can the Provost's office be maximally helpful? How can the bureaucracy be reduced?

The chair introduced and welcomed Associate Provost Jean Ann Linney.

5) Discussion with Provost Burish:

The provost stressed the importance of meeting with members of the faculty in a variety of forums, including within individual departments (ongoing) and at informal lunch gatherings of 10-12 faculty from various departments (planned). The latter will be convened with no particular agenda. The provost mentioned that faculty complaints are a source of concern to the Board of Trustees, and suggested that faculty accomplishments should be highlighted at future Board meetings.

The provost invited comments from the FS regarding the above questions. In the discussion that ensued, FS members offered several responses to the questions posed by the provost. Regarding the first question, senators stressed the independent nature of FS with respect to the administration. An explanation of how the FS agenda is determined was advanced (issues are raised in the senate or in committee, and are tabled or advanced after discussion). Concerns raised about the FS included a lack of a sense of university “ownership” on the part of the senate, perhaps linked to a perception that the university is not “faculty driven” and an agenda that frequently overlaps that of the Academic Council. The provost acknowledged that FS independence from administration has positive and negative aspects, and questioned whether more integration with the administration would be desirable/beneficial to the FS.

In response to the second question, it was pointed out that, as an example, changes to the Academic Articles have emerged from FS and its sub-committees. Regarding input on budgetary matters, the provost was informed that the FS has not had a history of directing budgets and that faculty, in general, seem to have little input in determining budget direction. The provost touched on faculty/budget arrangements at his previous institutions (Vanderbilt, Washington & Lee) and stressed that he was in the process of learning how monies are apportioned and funding priorities determined at Notre Dame.

The provost was asked about the emphasis placed on interdisciplinary work (question 4), with the additional comment that it is not necessarily essential to academic excellence. The provost indicated that disciplinary and interdisciplinary work should be allowed to flourish when appropriate. Barriers to the latter appear to exist at Notre Dame, but the provost does not regard this as unique. One senator suggested that university-wide postings of dissertation defenses would help to foster interdisciplinary communication. Other comments: interdisciplinary work is difficult to pursue because, within the existing university structure, faculty are “ beholden ” to their home departments; advances in scientific research exist at the fringes of disciplines, but university infrastructure cannot support the “pulling together” of disparate fields/disciplines; library services have been curtailed to the extent that research within--and between--humanities and social science departments is compromised.

The Catholic character of the university was raised, with one senator expressing concern about the perception of undue emphasis being placed--by administration--on the hiring of a Catholic faculty member within his department. The provost acknowledged the complexities of simultaneously fulfilling the Catholic mission of the university and achieving/maintaining academic excellence. It was noted that attracting the best graduate students has been problematic owing to less-than-competitive stipends offered by the university.

6) Break to Committees

7) Committee Reports

Academic Affairs and Administrative Affairs. The two committees met jointly. Colin Meissner reported. Associate Provost Jean Ann Linney was present and described her history, role, and objectives within the administration. One concern of her office is the inconsistencies in the Academic Articles. While a wholesale revision of the articles is not imminent, it was agreed that some articles, specifically those that pertain to the selection and appointment of academic officers, should be examined in the near future. The associate provost expressed a desire to foster a more welcoming and supportive culture for new and prospective faculty hires. She also communicated her willingness to meet regularly with the FS, as her schedule permits.

Benefits: Nasir Ghiaseddin reported. He recently met with representatives of Human Resources and discussed changing health care issues in general. Of particular note, revisions in section D of Medicare benefits are forthcoming. Nasir will summarize the numerous anticipated changes in a forthcoming e-mail to the FS. He indicated that literature summarizing current benefits programs was available for interested FS members following the meeting. Safety issues pertaining to campus walkways were raised in committee.

Student Affairs: Philippe Collon reported. Students have expressed a desire to have a list of course texts made available prior to the start of semesters, presumably to circumvent the university bookstore. The university's position on this will be pursued. It was noted that Dennis Jacobs is putting together a document related to the TCE situation. The issue of student academic freedom was raised. A joint discussion of this topic with the Academic Affairs committee was proposed.

8) Old Business.

Seth Brown announced that Joni Warner would be stepping down from the FS, also leaving her post as FS treasurer, and issued an invitation to those senators present to stand for election. As no one offered to stand for election, an e-mail will be issued to the FS to solicit for a new treasurer.

The publication of FS minutes in the ND report is pending. It was noted that the minutes are currently not included on the FS web page. Attempts will be made to update the web page.

9) New Business. None

Meeting adjourned at 9:30 pm.

Respectfully submitted

Mary Prorok
Co-secretary

Faculty Senate Meeting

Journal of November 2, 2005,

Seth Brown chaired.

- 1) The meeting opened at 7:05 with a prayer.
- 2) Minutes of the meeting of October 5, 2005 were approved, subject to the amendment that Cynthia Mahmood was in fact present.
- 3) Chair's report: the chair noted that senators should be considering and raising issues for the committees to take up. He welcomed Bob McQuaid and Denise Murphy from Human Resources to discuss present and future issues.
- 4) Denise Murphy gave a PowerPoint presentation and handout outlining changes for next year. She offered a summary of the price increases, changes in benefit structure, and new offerings from the various plans. She also gave some accounting of the rise in premiums, which are not uniform among the plans. ND contributes about 87% of the price, somewhat less for the PPO plan, which is the most expensive and offers most choice and national coverage.

A senator commented that sicker people who need the level of care that the PPO offers might under these terms essentially be asked to shoulder a greater proportion of the cost than healthier people who might opt for the HMOs (which would to some extent vitiate the idea of insurance as a distribution of risk among the covered group as a whole). Murphy responded that although PPO members did indeed seem to make more use of services, there were people at all levels of health or illness enrolled in all of the plans.

In response to questions, Murphy said that satisfaction with insurance issues in all the plans was about the same, that the current PPO worked much better than the previous one, and that ND has found problem resolution to work well with current providers. The difference in premiums between the two HMOs results from the total cost of claims in each, as well as the price structures of the different networks of providers.

Murphy noted that ND's medical costs have recently been rising at a rate of over 10% annually, which is higher than is typical in large corporations and is a trend that would have big implications if it continued. Higher use of services than in other organizations seems to be part of the issue, as well as an older workforce and the availability of expensive high-tech treatments.

ND has been focusing on reducing administrative fees (especially in move away from Cigna), joining a university group for the prescription drug plans, and joining another consortium of universities dealing with these issues. In the future, ND will be raising the employee percentage of contribution; looking into providing incentives for wellness, preventive medicine, and good ongoing care of chronic conditions; and possibly creating

a different “tier structure” for premiums. Tying premiums to income level or number of dependents might be possibilities: ND is ready to consider many possibilities for getting costs under control.

A senator noted that the premium increases for next year are so great, and raises have been so small lately, that employee’s net compensation may actually decline next year, which seems both unfair and demoralizing; he also reported that ND employees (not necessarily full-time ones) are known to be using a local free health clinic, which suggests that current plans may already be inadequate and not in keeping with the University ethos.

Another senator suggested that if there was an ongoing attempt to limit benefits to a particular, very small, percentage of the university operating budget, that might be a misguided attempt to apply inappropriate corporate business models to running of a university.

Another senator urged HR to try to incorporate perspectives from across the university in addressing the issues of cost rises and distribution, in order to find solutions in keeping with the university’s mission. Bob McQuaid responded that a working group was being contemplated, and he welcomed Faculty Senate involvement in that group. It was also noted that the Benefits Committee is seeking ongoing, regular involvement in the process of developing and implementing HR policy, rather than being limited to responding to policy after it is announced.

5) Election for treasurer: David Klein volunteered to stand for election, and in the absence of other nominations was gratefully elected by acclamation.

6) Academic affairs committee report:

The major task of the moment is work on revising and updating language in the academic articles on the procedures for hiring and retaining major academic officers.

7) Administrative affairs committee report:

This committee is taking on the issues posed by so-called “academic freedom” activism among students who are critiquing and seeking to restrict or promote course topics and assignments and the ways in which they are approached in ND classes. The committee is seeking a statement from the administration in support of the academic freedom of the faculty. The prominence of the student paper the “Irish Rover” in this area was noted and the question of its external support raised, as were the issues surrounding the use of the phrase “academic freedom” both in relation to freedom of inquiry and to the desire to exclude or require the inclusion of particular subject matter or arguments in the classroom.

8) Student affairs committee report:

The committee is seeking discussion and an open meeting with Fr. Poorman, using AAUP guidelines as a starting point, about perceived differences in handbook

language and actual administrative practice regarding student academic freedom. A perception that there is censorship exists.

Seth Brown noted that in a recent discussion with the board of trustees, the trustees concluded that it was important to promote better public recognition of ND's commitment to academic freedom, and that the language of the ND mission statement is strong on this.

Another issue is unbecoming student behavior at athletic events: the committee is working to set up a meeting with "Leprechaun Legion" to encourage more creative ways to express enthusiasm.

9) Benefits committee report:

The committee continues to seek ways of being more proactively involved and will be meeting with John Affleck-Graves and other university officers. It was noted that the faculty is now a lower budget priority for ND than in the past, as compared, say, to new construction.

Discussion followed of whether the FS might be able to provide faculty with more up-to-date and/or comprehensive material than that provided by Human Resources on benefits changes, their implications, and ND's position relative to other similar institutions, the better to respond effectively to proposed changes. The committee was asked to consider providing the faculty as a whole with an analysis, perhaps with contextual information about rates of salary increase, inflation, and other relevant factors, and highlighting the place of faculty in university priorities. This was deemed a valuable project, and one that will take a fair amount of time to conduct.

10) New business:

Noreen Deane-Moran reported that the committee on student-originated course evaluations was still working on the formulation of questions.

The meeting was adjourned at 9:25.

Respectfully submitted,

Julia Marvin
Co-Secretary

Minutes

1) The meeting was called to order at 7:10 pm; Seth Brown chaired.

The senators introduced themselves.

John Robinson gave the opening prayer.

2) The minutes from the November 2nd meeting were approved without amendments.

3) Chair's Report

The chair stressed that in the absence of a preliminary speaker, senators should direct special emphasis and attention to the evening's committee meetings.

4) Committee Reports

Student Affairs and Administrative Affairs: The two committees met jointly, with Philippe Collon reporting. Rhea Boyd, chair of the Student Senate Minority Affairs Committee, presented a Student Senate Resolution to create a university committee to investigate the incorporation of "cultural competency" within the curricula, with the intention of obtaining Faculty Senate approval before pursuing further action within the university. Several questions surfaced within committee surrounding the definition of cultural competency and the requirements that would satisfy it. Within the full senate, numerous comments and questions were raised. It was asked whether a specific problem within the curriculum concerning the lack of cultural competency has been identified. Philippe Collon remarked that fifty courses currently exist that could possibly satisfy the cultural competency issue, but the mechanics of implementing an actual requirement have not been outlined. John Stamper commented that the failure of US elementary and high schools to require foreign language study may contribute to the lack of cultural competency on the part of college students. Another senator suggested that while appropriate courses are available, students aren't taking them and that a cultural competency requirement seems to suggest that students want to be "saved from themselves." In response, a Student Senate Representative explained that students are unsure whether these currently offered courses will actually expand their cultural competency. Philippe Collon recommended that a discussion of the resolution among the full senate be postponed until the next Faculty Senate meeting and that student representatives be invited back for a continuation of the discussion.

Academic Affairs: John Robinson reported. The academic affairs committee continued its discussion regarding changes in language of the Academic Articles. Specifically, the committee is focusing on the sections pertaining to the selection and review of University officers.

Benefits Committee: Tim Ovaert reported in Nasir Ghiaseddin's absence. The discussion centered on a recent meeting of the Benefits Committee with John Affleck-Graves, other academic officers, and representatives from Human Resources. Benefits Committee members who were absent from that meeting were apprised of its content. In short, the meeting with Affleck-Graves et al. was arranged to discuss the increased burden to be borne by the faculty for health care. The fact that summer salaries are not matched with respect to retirement funds was also raised. It was agreed in committee that a meeting with the provost might be more

helpful, insofar as the provost might be more sympathetic to faculty concerns and has expressed a desire to become more involved with budget concerns. A question was raised in the full senate as to the fate of the Budget Priorities Committee, formed at least 15 years prior.

5) Old Business

None

6) New Business

Philippe Collon voiced a concern regarding the University's faculty reappointment/promotion timeline and the increased amount of time required for foreign faculty to obtain new visas. Reappointment and promotion packages are due at the end of November with reappointments made in May. With new visas taking, at minimum, four months to process, international travel is obviously restricted during the summer months for reappointed faculty. Philippe has received indication that the Office of General Counsel is willing to start the visa application process earlier, but will need guidance from the provost's office. Philippe agreed to write a letter to Provost Burish and Associate Provost Linney, notifying them of the visa/reappointment issue.

Meeting was adjourned at 9 pm.

Respectfully submitted,

Mary Prorok

Minutes
Faculty Senate
February 1, 2006

- 1) The meeting was called to order at 7:05 pm; Seth Brown chaired.

The senators introduced themselves.

Mary Prorok gave the opening prayer.

- 2) The minutes from the December 6th, 2005 meeting were approved without amendments.

- 3) Chair's Report:

The chair acknowledged Fr. Jenkins recent address to the faculty regarding academic freedom and applauded Fr. Jenkins for raising the issue and allowing for open discussion of the matter. The chair indicated he had met with Fr. Jenkins and that Fr. Jenkins assured him of his receptiveness to respectful discourse on the subject. The chair reminded the senate of the March 7th, 2006 Faculty Senate meeting with Fr. Jenkins and that it represented a rare opportunity for actual dialogue with Fr. Jenkins. The chair stressed that the importance of the issue of academic freedom requires a response by the Faculty Senate. The chair also noted that, as per the Academic Articles, the Faculty Senate is empowered to convene forums and charged the Student Affairs and Administrative Affairs committees with organizing such a forum regarding academic freedom. The chair emphasized that a response to Fr. Jenkins must be finalized by the April '06 Faculty Senate meeting and suggested that a draft of such a response be ready available at the March 7th meeting to allow adequate time to reflect on the content and solicit comments. He proposed that the Student Affairs and Administrative Affairs committees be charged with drafting the document. The chair reminded the senators of upcoming Faculty Senate elections and encouraged members to run for office.

- 4) Philippe Collon introduced Rhea Boyd, the Student Senate Affairs Chair, who asked the Faculty Senate to consider two Student Senate Resolutions on cultural competency: 1) that the Faculty Senate endorse the Student Senate resolution that an ad-hoc committee be created by the Provost to investigate how best to incorporate cultural competencies within the undergraduate curricula and, 2) that the Faculty Senate endorse, in principle, the Student Senate resolution that Notre Dame students be exposed to activities that enhance their cultural competency. She noted that the initiative to investigate integration of cultural competency into the curriculum can be linked to Fr. Jenkins' desire to improve campus diversity [as stated in his inaugural address], insofar as both can enhance the academic culture. She introduced Mark Gunty, of the Office of Institutional Research, who discussed information extracted from exit surveys of graduating seniors pertaining to their interaction with those of different cultures or ethnicities. Overall, graduating Notre Dame seniors are much less satisfied with the diversity of their college experience than are seniors from peer institutions. Additionally, those Notre Dame seniors who have pursued an expansion of their cultural diversity report being dissatisfied with cultural diversity as it exists on campus—more so than students who have not participated in such efforts. These, and other data from the survey, reinforce the notion that Notre Dame students have less exposure to other races/cultures than students at peer institutions. A discussion ensued

concerning the presented resolutions. A senator raised the possibility that perhaps the university is actually doing a commendable job in improving racial/cultural awareness given the homogeneous student population. Other concerns voiced by senators included: the perception that the current initiative represents the imposition of an agenda by one set of students upon another; the possible alteration of general education requirements; and the fact that existing courses might adequately fulfill the cultural competency initiative. It was suggested by several senators that cultural competency need not be addressed through the core curriculum but could also involve increased study abroad, admitting more foreign students and/or incorporating a foreign language requirement. Both resolutions were passed after rewording.

5) In lieu of breaking to individual committees, the chair directed the remainder of the meeting towards the issue of academic freedom. The chair emphasized two goals to be accomplished in a timely manner: convening a forum to discuss the matter with other faculty and composing a draft document that would summarize the Faculty Senate's position on the issue. The chair suggested that perhaps the draft document not stem from the Student Affairs and Administrative Affairs committee, but from a smaller ad hoc committee in order to hasten the process (with the intent of having a document that could be examined at the March senate meeting). While one senator questioned the need to formulate a representative versus individual response, the suggestion was forwarded that the Faculty Senate could issue a majority and minority report, or that Fr. Jenkins could be asked to defer his decision on the matter. An ad hoc committee was assembled to call a forum.

6) Meeting was adjourned at 9:40 pm.

DRAFT MINUTES

Faculty Senate Meeting

March 7, 2006

7 pm

{*attendance to be added}

Seth Brown chaired.

The people present introduced themselves.

The meeting opened with a prayer.

Minutes from the meeting of February 1, 2006, were approved with the amendment that Mark Dehmlow had in fact attended.

Minutes from the meeting of February 15, 2006, were approved with the amendment that Mark Dehmlow, Gail Bederman, and third party, Isabel/Elizabeth?* had attended.

Chair's Report

The chair reminded the Faculty Senate of the upcoming March 8 forum with outside speakers on academic freedom.

He announced upcoming elections for Faculty Senate officers. A nominating committee has been formed, and people interested in serving as officers should identify themselves to the committee.

He announced the two topics to be discussed at the meeting: academic freedom and the reports from the university committees formed in response to student interest in student-initiated course evaluations and the perceived need for fuller and better information for use in evaluating teachers for personnel decisions.

He then welcomed Father Jenkins, with thanks for raising the issue of academic freedom for public discussion, which he characterized as a wonderful opportunity to discuss who we are and what we want to be, which has generated the most discussion among students and faculty he has seen since coming here, and which has the potential to embody Notre Dame at its best. He also thanked Father Jenkins for welcoming e-mails and other responses from the Notre Dame community and attending so many events on the issue.

Discussion of Academic Freedom with Father Jenkins

Father Jenkins began with a prepared statement in response to the Faculty Senate draft statement on academic freedom (hereafter "draft"). He agreed with the general spirit of the draft but voiced reservations on some points that he thought needed verbal clarification or specification of the

issues at stake and/or appropriate responses to particular cases. Although he did not find the draft to pose the issues in black-and-white terms, he thought parts of it might be misconstruable, and he wanted to avoid the problem of unhelpfully framing the different viewpoints as “pro-censorship” or “anti-Catholic character.”

He then focused on the two events of recent controversy. He considered the name change of the event formerly known as the “Queer Film Festival” to be a model of collegial cooperation: a legitimate concern raised, discussed, and resolved not by silencing but by reaching a more transparent title. He characterized the undergraduate production of the “Vagina Monologues” as *both* taking up issues of importance to women *and* offending many women and men who regard it as an affront to Catholicism. In light of the offense it gives and the five years of ongoing performance, Father Jenkins questioned the value of its continuing presentation on campus, while acknowledging that it was not an easy question to resolve. The big question was not what Notre Dame will or will not silence and censor, but how to balance different voices in accordance with the mission statement’s commitment to “free inquiry and open discussion.”

He then took up some turns of phrase in the draft and noted that respect for the mission of Notre Dame entailed providing a forum in which broad and differing views are presented in dialogue with Catholic tradition.

The floor was then opened for questions and comments for Father Jenkins. Among them:

Senator: There has been much sentiment for a general strategy not of silencing but of bringing in more speech. Does Father Jenkins agree w/ this as general direction?

Father Jenkins: Quantity of speech is not the issue, but balance and fostering genuine engagement.

Senator: New students are coming through all the time, confronting perennial problems, and students themselves are expressing the need for the “Vagina Monologues.” Are there real alternatives to it that *won’t* provoke people who oppose any discussion of sex and gender at a Catholic university?

Father Jenkins: We have to find a way to talk about these issues that can include all viewpoints and won’t be so divisive.

Senator: It is troubling that the only issues brought treated as problematic pertain to sexuality, especially women’s sexuality, as if Catholic character only has to do with sex (as opposed, say, to the “living wage” issue). There is clearly a great need being expressed here, and Notre Dame needs to look hard at how it’s supporting students dealing with sexual abuse and other troubles, and not to squash ways the ways students have found of bringing up the issue. Note the message sent by the “Vagina Monologues” controversy and the Keenan Revue happening at the same time.

Senator: We can’t start with saying that something that isn’t ideal should be stopped without there being really viable alternatives presented. It can’t be “Vagina Monologues” or nothing at all.

Senator: It seems very difficult to determine at what point the offensiveness of a given event becomes so great that the occasion for offense should be prevented.

Father Jenkins: Offensiveness inhibits conversation. The question is how to get a balanced discussion to engage views in a robust way.

Senator: All sides have responsibilities to come forward with ideas about better approaches that are still artistically vibrant.

Senator: Language in the draft appears to suggest that if a department doesn't provide funding and facilities for absolutely anything, it could be taken to be "silencing" speech.

Discussion followed in which the issue of "room availability as a tool of censorship" was raised, and it was agreed that the language of the draft could be clarified.

Senator: Students are exactly in the process of learning how to speak in their own voice from their own point of view. Sometimes people need to say "dumb" things in order to say smarter things, and the benefit of "Vagina Monologues" to the constantly changing performers should not be forgotten.

Senator: What about non-Catholic faculty self-censoring?

Senator: What about Catholic faculty self-censoring?

Senator: Personal experience growing up in the third-world, with free speech forbidden, suggests that the young who are discouraged from learning about and discussing sexuality are disempowered. Articulateness about an issue is deeply connected to confidence about it and ability to deal with it.

Senator: Is the basic issue limits on artistic performance as opposed to pure speech? Isn't Notre Dame within its rights to set some limits about performance as a style of behavior associated with speech?

Discussion followed in which different senators took issue with the distinction between performance and speech, noted the dangers of reducing art to "entertainment" rather than something morally and intellectually challenging, took up the question of legal limits on public performance, argued that departments were best equipped to draw the line of appropriateness according to current standards of the profession, and suggested that there might be occasions in which it was appropriate for the administration. (from the president to individual instructors) to intervene to restructure activities along more productive lines, difficult as it was to put together a mechanism for doing so.

Senator: What is the real harm of putting on a performance that some people feel uncomfortable with? No one is required to attend. Is the Catholic character really in jeopardy, or is all this just a PR issue? If so, how much weight should it really carry?

Senator: It's important to ascertain whether all this is about a big issue of general principles or a narrow short-term hot-button issue, the "Vagina Monologues" in particular. The next time

around it would be good to have general principles to put into application, but we should not do something now for a short-term fix that we end up regretting for its long-term consequences.

Presentation by Dennis Jacobs and ViJay Ramanan

Dennis Jacobs and ViJay Ramanan brought documents from the Student Senate and Academic Council and gave a presentation on proposed additional course evaluation materials intended to help in two ways:

1) by getting better and more extensive information than TCEs to use in evaluating faculty for renewal or tenure.

2) by providing students with more and better information to use in choosing courses.

They said that students did not report wanting access to course syllabuses in their decision-making, and they presented a mockup of a “course information” form that included material from instructors about course structure and requirements, a small set of evaluative responses from former students, and information about enrollment. They characterized the student responses as ones for which “good” answers would be similar for students and professors. These would ideally be available on InsideND with access limited to students and the instructor of the course, and they would not be used in personnel decisions.

Senators responded with a number of suggestions, questions, and comments, among them

--the argument that even relatively innocuous questions will lead to grade inflation and effectively constitute publishing TCEs, because students understand they can take revenge by giving negatives on anything.

--the question as to whether individual faculty or departments or faculty could opt out of these forms, and the idea that a mixed system might enable testing as to whether the new forms were in fact helpful to anyone.

--questions as to the logistics and possible effects of administering these new questions alongside TCEs.

--the question of the usefulness and appropriateness of such forms for required courses.

Meeting adjourned at 9:15.

Respectfully submitted,

Julia Marvin
Co-Secretary

Minutes
Faculty Senate
March 22, 2006

- 1) The meeting was called to order at 7:05 pm; Seth Brown chaired.

The senators introduced themselves.

Julia Marvin gave the opening prayer.

- 2) The minutes from the March 7th, 2006 meeting were approved without amendments.

- 3) Chair's report:

The chair announced that the evening's meeting was the last for the sitting senate, thanked those senators whose terms expired, and mentioned that new officers would be elected at the May 9th, 2006 Faculty Senate. The floor was given to Salma Saddawi, who announced openings for treasurer, secretary (two co-secretaries), chair, and vice-chair. The chair then introduced the proposed Faculty Senate statement of principles of academic freedom and summarized salient aspects of the document, viz.; while reasonable limits must accompany the exercise of academic freedom, these must stop short of silencing responsible discourse and expression—this view is essential to sustaining the University's mission, as enunciated in the university's mission statement. The chair then opened the floor for debate on the proposed document.

- 4) Debate on statement of principles of academic freedom:

Numerous friendly amendments to the document were proposed and accepted, including one tendered by Julia Marvin that clarified statements (third paragraph) concerning tolerance in the context of artistic expression. Others suggested a tempering of the language to project a less dramatic tone, e.g., the "chilling effect" of suppression (third paragraph). After some discussion, it was agreed that the original phrases would remain in the proposal. Barry Keating indicated that the original language of the document would seem to give the President no good reason to disallow any event or activity. A substantive amendment was forwarded by John Robinson in an attempt to address this concern. He suggested the inclusion of the following sentences at the end of the seventh paragraph: "This is not to say that extreme scenarios cannot be imagined that might appear to call for stronger presidential action than that sketched here. Our point is that such stronger action would, in every case, put at risk the academic freedom upon which the University insists in its mission statement." This substantive amendment was approved by the senate, with Gail Bederman in opposition. Following general agreement on the language and content of the revised document, the chair called to question acceptance of the document. Acceptance was affirmed, with one dissenting vote.

- 5) Given the late hour, the chair elected to defer the remaining items on the agenda (break to committees, committee reports, and old and new business).

Meeting adjourned at 9:30 pm

Respectfully submitted,
Mary Prorok

Minutes
Faculty Senate Meeting
May 9, 2006

The meeting began at 7 pm with a welcome from Mark Dehmlow (chairing), introductions from the senators, and an opening prayer from Mark Dehmlow.

The minutes from the March 22, 2006 meeting were approved without amendment.

Elections of Senate Officers.

Mark Dehmlow thanked the members of the nominating committee.

1. Chair: Seth Brown was elected by acclamation and then chaired the rest of the meeting.
2. Vice-Chair: John Stamper was elected by acclamation.
3. Treasurer: Dave Klein was elected by acclamation.
4. Co-Secretaries: Julia Marvin and Mary Prorok were elected by acclamation.

Treasurer's Report from Dave Klein. He explained that the modest Faculty Senate budget (which comes from the Provost's office) covers food, supplies, printing, etc. The Faculty Senate usually stays within 10% one way or the other of budget. \$1424 was this year's budget, this year it will finish 10% over budget, and there will be \$50 more budgeted for next year. The Faculty Senate Faculty Forum was an unusual expense in the 2005-6 school year. A senator suggested that the Faculty Senate might be in a position to schedule more events along those lines in future years.

The Faculty Senate then recessed to committees to set the agenda for the coming year.

Election of Committee Chairs and Committee Reports

1. Academic Affairs. Colin Jessup was elected chair. Issues of ongoing concern: 1) Can and how can Faculty Senate become a more effective body in the university? 2) Confusion over standards and practices for renewal/promotion of SPF faculty. 3) TCE reform.

2. Administrative Affairs. Charles Barber was elected chair. Issue of ongoing concern: Ongoing reorganization of graduate school.

3. Benefits. Nasir Ghiaseddin was elected chair. Issues of ongoing concern: 1) Health insurance changes. 2) Faculty salaries, with raises insufficient to cover inflation, esp. given rise in premiums. 3) The living-wage initiative for ND workers. 4) Environmental issues on campus, e.g., emissions from campus smokestacks, the health of campus lakes (full of copper sulfate in violation of EPA standards), and indoor air quality. 5) Safe walking and biking routes to campus, which should be taken into account in new road-building. 6) The question of possible taxation of tuition benefits and what can be done to lobby against it.

4. Student Affairs. Kelly Jordan was elected chair. Issues of ongoing concern: 1) Student academic freedom outside the classroom, and the ad hoc nature of current procedures. 2) Fairness of current alcohol and other disciplinary policies and their unequal enforcement in different dorms. 3) Lack of availability of student leadership training on campus and ways of addressing it. 4) Student access to DPAC for giving performances. 5) Possible ND conference on eating disorders next winter and ways in which faculty can support it and increased awareness in general of the problem.

Election of delegates to

- 1) Traffic Appeals Committee. Kevin Misiewicz and Philippe Collon were elected.

Minutes
Faculty Senate Meeting
May 9, 2006

- 2) Campus Life Committee. Gail Bederman and Linda Sharp were elected
- 3) ECDC Review Committee. Colin Jessop was elected.
- 4) Student Senate. Philippe Collon and Linda Sharp.

Old Business. The chair reported on attending the recent meeting of the Board of Trustees, in which he brought up issues of academic freedom and substandard investment in faculty resources and salary.

New Business. The Faculty Senate will invite library staff to address the Faculty Senate in the fall. A senator suggested resuscitation of the idea of writing memorials to deceased faculty to be read at Faculty Senate meetings and entered into the minutes for publication in ND Reports: the idea was warmly received, and the Executive Committee will look into ways of implementing it. A senator wondered if information about the disposition of the Fiesta Bowl money was or would be available—could the Faculty Senate look into this?

The meeting was adjourned at 9 pm.

Respectfully submitted,

Julia Marvin
Co-Secretary