



UNIVERSITY OF NOTRE DAME FACULTY SENATE

**Minutes of the Faculty Senate Meeting University of Notre Dame
December 6, 2017
136 DeBartolo Hall**

SIGNED IN AS PRESENT:

Matthew Capdevielle, Dominic Chaloner, Annie Coleman, Tarek Dika, Chuck Dittbennes, Bridgette Drummond, Mary Frandsen, David Galvin, John Gaski, Nasir Ghiaseddin, Ben Heller, Michael Hemler, Daniel Johnson, Randy Kozel, Beyerlein Kraig, Howard Lanser, Byung-Joo Lee, Hai Lin, Chao-Shin Liu, Adam Martin, Paul McGinn, Richard Pierce, Sylwia Ptasinska, Ben Radcliff, Jeanne Romero-Severson, Anna Simon, Phillip Sloan, Marsha Stevenson, David Thomas, Joe Urbany, Meng Wang, Hannelore Weber, Xiaoshan Yang, Samir Younes, Guagjian Zhang

NOT SIGNED IN AS PRESENT:

Matt Bloom, Natalie Porter, Aaron Striegel, Shauna Williams, Daniel Hopkinson

Called to order at 6:05pm

Jeanne Romero Severson (JRS) began with Teaching Evaluation Committee report. The committee is near the end of the process and will continue to meet until it is finished a serious evaluation of teaching. JRS then asked for reports from the various Faculty Senate Committees

Academic affairs

Student senate representative could not appear because of President function. However, the student had shared a resolution passed by student government about making the university a sanctuary for undocumented students. JRS emphasized that they had not asked for senate to do anything, such as endorsing, but rather wanted to make us aware of the resolution and as a point of information. ACC Scholar needed to be chosen which had been delayed because of a misunderstanding about timing but there will be communication among committee members by email. JRS emphasized that it was important to understand that whoever was nominated would need to be hosted by an appropriate department in their field or discipline but those costs are paid for entirely.

Question: how many people will eventually be invited?

JRS: One person.

Question: how many do we nominate?

JRS: Just one and the provost office would accept who we recommend.

Question: So, who the senate selects is the one who will be invited.

JRS: Yes, and will send out the list of potential invitees and would welcome suggestions.

Question: When does this have to be done?

JRS: Recommendation certainly before Feb, and ideally early next year. Again, would have preferred to have done it earlier but had not realized that we had to do this until this month.

Student affairs

Reported that since the last meeting student affairs had produced its own "proto" resolution about parking based on graduate student concerns, including that the C-Lot is dark, which causes safety concerns, and that had been forwarded to the University Parking Committee. But it may have been too late to be considered. If this is the case, the committee will reconstitute to resubmit.

Benefits

Committee did not meet but will meet next week. However, with respect to graduate students, the chair spoke with HR, and the ND interpretation of the National Labor Act is that it does not affect who has benefits, and students have the right to unionize and bargain collectively for their benefits.

Question: Are students aware of this situation?

Yes, they are.

Question: How is this influenced by 'Right to Work' in Indiana?

That is unlikely to be relevant here?

JRS – TAs at UM are unionized and everything is fine.

Administrative Affairs

Had a lengthy committee meeting, where first continued to talk about the SPF issues and will be meeting with the SPF group on campus to discuss the issues. However, the committee decided to table the issue in order to focus on the sanctuary issue. Consequently, Jason Ruiz and Leo Cordello spoke about the implications of the university becoming such a sanctuary. Consequently, got lots of information.

Key points were detailed as follows.

Since 2012, Deferred Action for Childhood Arrivals (DACA) gave some protection to undocumented aliens, and specifically shielded students that declared themselves in order to pursue education. There is a concern that the new administration in Washington will discontinue the program, and thus puts the institution that has declared sanctuary status potentially in conflict with that administration.

There are currently 54 DACA students on campus.

There are already changes being suggested by actions. For example, on 9 November movement began, with for example sit-ins, and included petition to Fr. Jenkins. After 24 hours had 4700 signatures on the petition.

Universities appear to have gone in two directions: support or refusal. ND appears to have taken a middle ground. Fr Jenkins has given supportive statements but has not declared the sanctuary status of Notre Dame.

Salient points include the fact that the word 'sanctuary' is an important term within the catholic church; networks of sanctuaries already exist; this is not itself a legal term but a declaration could put ND at odds with future laws. There are other threats to consider, such as to funding from federal agencies. Many institutions are declaring sanctuary status now keeping in mind a future legal battle (i.e., longer-term issue). More immediate issues for Notre Dame might be donor relations in the event that it declares itself a sanctuary. There is a list of colleges and universities that have declared sanctuary status but it is relatively short (includes Swarthmore College, a Quaker institution). ND would need to consider its mission. What was also discussed was having a broader input from theologians and lawyers. One actionable activity is to have a draft resolution before February to be discussed, involving volunteers to help formulate and discuss. In general, the committee recognized that Fr Jenkins has come out and supported the idea of sanctuary without actually using the term, and thus the faculty senate statement would not be incendiary but realize that there are multiple viewpoints.

JRS: shared a point of order that the committee can meet at any time, as is the case for academic affairs.

But there does need to be a quorum in order to vote on a resolution and at that time Jan is difficult because of people travelling. Asked whether those that want to provide input can they contact the chair of administrative affairs? This is an important issue so this merits a serious response.

Response: This would be fine. General consensus in the committee and the group drafting the resolution is that they would work through January to get it done by Feb.

JRS: Maybe by February things will be clearer then? Why not meet about this issue when we return in Jan because time is of the essence?

Mary Anne McDowell: Maybe reserve room during the first week of class, and the committee could meet to make progress, including the group.

Suggestion: Wait until February to vote, and JRS agreed, and that she anticipated that there would be clarification on the national level by that time.

JRS: That would address quorum issue. However, actual vote would have to wait until Feb.

Question: Will that be too late?

JRS: Would like Faculty Senate to have a voice in the policy of ND administration.

Nasir Ghiaseddin: Will this make any difference? Given that there is no legal support?

JRS: There are some things that it is important weigh in on even if can't win the battle – need to speak up for what is just. Especially those that feel strongly about this issue.

MAM: Many voices contribute to the discussion, so perhaps if there are enough voices then maybe the Trump administration will reconsider.

JRS: A Jan meeting would be a good idea but we cannot pass resolution without a quorum.

MAM: We need a third of the faculty senate.

There was a show of hands of those interested in Jan 17 meeting and it was noted that quite a few showed interest.

JRS: We can schedule a meeting at 6pm at 17th Jan, and that will be for the specific reason of considering the resolution, assuming that there has been discussion of the resolution prior to that meeting. Also, to think about it sufficiently to be able to stand by it [the resolution] later, but also hear other voices.

Question: Is this an immediate concern to Admissions because they will be deciding applicants now, and a decision will need to be made.

Will this also affect students that have already been accepted? What about graduate students?

Question: Would the resolution need to be circulated beforehand?

MAM: Best to circulate beforehand.

JRS: At least a week beforehand. Need sharp deadline but need to have discussion before the resolution is presented to the senate.

Question: If a version was available ahead of time, would it be good to have it routed to legal about what might be the ramifications?

MAM: This is not a resolution that will be posted but rather what would be shared with Jenkins.

JRS: Yes, this would be good.

Suggestion: Law school is having a panel on sanctuary, so might be a good idea for members of Administrative Affairs to attend to be sure we know what we are voting for.

JRS: We need to be concerned about it either way. Students are justifiably concerned about it.

Question: are we independent or should we reflect the concerns of the constituents that we represent? Is there practice or precedent with respect to soliciting opinions on something like the resolution?

MAM: This is a representative body and as such constituents should be consulted.

JRS: This is one of the challenges of a representative democracy.

MAM: Senate structure is such that you are representing your unit or department, and so should try to consult with that unit.

Question: could we get a resolution so we could then send it out to our representatives or depts. to review?

JRS: timing is going to be problematic.

MAM: maybe send out by email or present to Depts. for review or ask for feedback in whatever way is appropriate.

JRS: That would be the usual way but may not be appropriate for something that needs to be acted upon as soon as possible before classes. Can circulate text but there has to be some text that has been agreed upon by members of the senate. Open to ways to do this. Room will certainly be booked and space will be available for whatever the process.

Some issues were discussed with respect to the use of google groups (for example, not everyone in faculty senate was getting the emails sent through google groups) and JRS assured the senate that this communication issue would be addressed.

Annie Coleman: Between the visitors and committee we should be able to get a resolution generated and send that around.

Question: Could it include other resolutions from other institutions for comparison?

JRS: this sounds reasonable

Question from Annie Coleman: if have drafted resolution could we ask visitors to participate in the Jan 17 meeting? Choose a range of perspectives to address the questions, such as law school or university lawyer. Are we trusted to come up with list of visitors?

JRS: Would need to know ahead of time so we can share this with senate.

JRS: Want to move to the resolution. Reminder of how we are going to do this with an emphasis on civility but not discuss for too long. So, first would like to open it up for debate. A motion to discuss the resolution was made and seconded.

Question: Don't understand the use of the word 'disciplined' in the context of the resolution text.

Response: The text was based upon the university mission and then modified to make it appropriate for the senate. However, the short answer I don't know exactly.

Question: This seems a lukewarm statement; that this should have more teeth.

Response: The question is whether people would like a stronger statement; denouncing various issues would make it a stronger statement

Important that the context of this statement should be made clear. If we make a stronger statement, then there should be but if we don't want to get into politics then that is fine. Currently does not have much bite.

Statements are fine but if senate wants more specific statement there is potential for miscommunication – this statement was written with purpose because of the nature of the election, to remind us of the diversity of both faculty and student. All voices are valued. This statement does not fit the intent of supporting undocumented students nor indeed was it meant to. Rather it is expressing unity especially now as discussions of the election and different voices on different sides of the debate have become voluble.

JRS: Understanding that faculty senate that this statement is an affirmation of what ND stands for; it is not directed at any at risk-group, given the possibilities.

Question: Would like the statement to make more reference to Catholic values, the commitment to truth, for example that there is something that grounds it in ND compared with other institutions. Something that might assert specifics. See that it could be strengthened in several places.

A different speaker: Once this resolution is done then it is collective statement. Note that there is already a document out there that people can sign a petition to Fr Jenkins. So, people that are concerned have had their say. So, what is new in this resolution?

MAM: That the other document was a petition.

Ben Radcliff: Proposed that we approve this statement but before the last sentence we insert language to address recent events, specifically to reject racism, homophobia, xenophobia and homophobia.

Hannelore Weber: Why link it to political events? These are our values.

JRS: this would require an amendment process that will take a long time. We have choices given that we follow the parliamentary system, rather than wordsmithing that could take a long time. Two amendments were suggested:

1. Insert Catholic mission statement.
2. Insert much stronger statement against racism, xenophobia, homophobia.

Question: Did we already assume that we are going to support the resolution?

JRS: If we vote down the resolution then we will not use it.

Question: why not put the resolution to a vote?

MAM: We could vote on it and then put it out?

Question: Maybe there are students that will disagree with the resolution? What good will this resolution do? Will it offend some? Concern that this resolution reflects partisan politics and could fracture the senate.

New speaker: There are two possibilities this one or a stronger version.

MAM: We can vote on this and then we can vote to discuss. This is not the choice

Question (New speaker): Only reason not to voice because it prevents a stronger version.

Is this statement necessary?

JRS: Going to move a motion that we vote whether to debate cease debate. Reminder that by voting no we continue the debate. If there is a majority to cease debate, then we vote on the resolution before us.

Question: What happens if we vote no, and then we would have no statement?

MAM: If vote yes, and then could vote to make it stronger.

JRS: since 33 members are present, there needs to be 17 members for a simple majority.

Question: What in the statement is not in the University mission statement?

Response: Just the connective language.

Vote on the motion to stop debate.

17 voted for the motion

10 voted against the motion

So, the motion was carried.

Vote on the motion to use the resolution as written without modification

7 voted for the motion

19 voted against the motion

The motion failed.

JRS: this means a new resolution can be crafted, discussed, and voted for in the future.

Question: Is there is possibility of discussing resolution? Could both the sanctuary and resolution be discussed at the same time during that other meeting in January?

JRS: Need to approve the minutes from the last meeting.

Motion moved and seconded, and then majority voted for the minutes; minutes were approved.

JRS: Thank you for civil debate.

Pat Holmes, Director of Academic Services for Student Athletes

Holmes began by saying that he was honored to do this job that he has been doing for 20 years. He asked for thoughts, feedback, and questions.

Office reports directly to provost and the overall goal is to make sure that student athletes get the education they need. Moreover, what students are told is that they have the opportunity to get best education in the country. This involved putting resources in place there to ensure that students are able to engage.

The office is not in the athletic Dept., unlike similar offices at other institutions, rather is in the academic side reporting directly to the Provost that provides a check and balance. This changed happened in 2000-2001. The check and balance is important because there is a natural tension between academic success and athletic success. Integrity comes from managing that tension. Moreover, there should a healthy tension, as reflected in the interaction between academic services and coaches. Part of the job comes from educating coaches. Indeed, there are places where coaches can do things that they cannot do here at Notre Dame, and that reflects the support from provost; contrasted ND with other institutions several times.

Critical pieces are student transition, and have learned that the best indicators of success are how students perform during their first year. There are 12 full-time staff, 11 of whom work directly with students or student athletes, broken down by teams, each of the counselors working with a number of different teams. This includes working with at risk students.

That transition program is important. Typically, first years students need allot of assistance, sophomores less so, and typically juniors and seniors need little or no assistance.

Shared various goals and objectives. Team culture has been established where students know they need to be both students and athletes. Majority of coaches support academic services and students take advantage of them.

Overall, in terms of educating and graduating ND does a good job. The office is monitoring students with the objective of supporting and challenging.

Reflected that a number of years ago, the business of college football shifted a number of things, including TV contracts resulted in changes at ND and elsewhere. Much more of a business where there is a need to win, and consequently need to enroll students that are able to fit that model.

ND scores are high compared with other institutions in terms of median SAT score.

However, if compare ND test scores of student athletes and average students there are differences. This is common at most institutions and presents a challenge given what it means for teaching student athletes. Biggest challenge is the lower ends of the academic scale.

Thus, programming is key and there are different components. This includes admitting the right student athletes for the programs. Next there is the resources to provide support to the engaged student. Important because if a student can't get the education then they are being exploited.

Shared his background working in Washington, DC in education program.

Here at ND is good was making sure that students had an opportunity for an education.

Feedback loops have been added recently, and this includes meeting with admissions.

Also, is using analytics that are used in professional sports. About getting the information that is needed to evaluate how the program is doing.

Faculty-athletics board important, working to make sure everyone is on the same page.

Question: what impact does these resources have?

Response: Our services improve across the board. Most students could get an education but it would not be as robust without services. Most first-year students have used tutoring.

MAM: What are the NCCAA rules for services for athletes?

Response: There are specific requirements to have an ASSA (Academic Services for Student Athletes) office like ours and last time benchmarked our budget for this office is high.

Question: concerns about the value of the letters asking for feedback on student athlete performance and whether students should be responsible enough. What are the response rates of faculty to those letters?

Response: Response rate to forms asking about students is probably 60% and 70% respond to the faculty letters asking about how students are doing. Have to be invasive to get a response and to help students.

Question: Email language is ambiguous – so have not responded. Is the response any different to email?

Response: will look at it but the response rate is also 60-70%

Shared statistics on students, including the ethnic background which is predominant. white, but African American are higher than student population

Athletes are underrepresented in STEM and overrepresented in Business.

Most students are grant in aid.

What happens during first year, is there are various walk-ons, which are lost from athletics not from ND.

Practical question: student needs help but there is conflict with unofficial practice; students are stuck in the middle.

Response: encourage students to work it out. Not enough that student cannot find a time for academics.

Contact student services if a problem.

Most recent graduation numbers shared. 12 yrs. ago started the academic progress program. Trying to bring in a graduation rate that reflects what happens with transfers. Federal rate only considers those that finish from one cohort and does not take account of transfers. Students transfer for many different reasons. NCAA has developed this graduation rate – if they left in good standing so the institution is not penalized for someone who is in good standing but doesn't actually graduate from ND because they are elsewhere. More real number.

Ranked first or tied for first, this year with Stanford. Graduation Success Rate 98%. Federal rate by comparison is typically less than 77%.

Consistently numbers have been very good. Bringing in the right students, coaches, and faculty.

Need to do a better job of tracking students after they graduate. Have added someone with dual reporting line to both career and athletics.

Question: How do we prevent students from falling through the cracks?

Response: If someone does go rogue it is difficult to address this issue. But the recent incident was handled appropriately by everyone.

JRS asked for a motion to adjourn, seconded, and approved.

Meeting adjourned at 8:07pm.

Minutes submitted by Dominic T. Chaloner, Dept. of Biological Sciences, Co-Secretary, and Mary Frandsen, Dept. of Music., Co-Secretary