

**Minutes of the Faculty Senate Meeting  
University of Notre Dame  
13 September 2016  
213 DeBartolo Hall**

**Attendees:** Kraig Beyerlein, Matthew Capdevielle, Anne G. Coleman, Chuck Dittbenner, Bridgette Drummond, Mary Frandsen, David Galvin, John Gaski, Nasir Ghiaseddin, Hai Lin, Ben Heller, Mike Hemler, Daniel Hopkinson, Daniel Johnson, Randy Kozel, Howard Lanser, Byung-Joo Lee, Chau-Shin Liu, Adam Martin, Paul McGinn, Sylwia Ptasińska, Natalie Porter, Benjamin Radcliff, Anna Simon, Phillip Sloan, Meng Wang, Hannelore Weber, Xiaoshan Yang, Samir Younés, Guangjian Zhang

**Excused:**

1. Opening prayer: Jeanne Romero-Severson (JRS), Chair of the Senate
2. Introduction of all members
3. Minutes of meeting of 3 May 2016: approval was tabled due to the lack of a list of attendees.
4. Chair's Remarks
  - a. Retreat: JRS reported on the Senate retreat, held on the morning of 19 August 2016. All found it very useful; JRS presented an overview of the Senate (structure, suatory power, agenda authority, etc.), and provided updates on several issues from last spring. Senators then heard presentations on University budgeting processes from John Affleck-Graves, Executive Vice President, and Chris Maziar, Vice President and Senior Associate Provost for Budget and Planning; both also took questions from the floor.
  - b. Senate overview: nearly two years ago, the Provost's Office decided to look at issues of faculty governance; the provost also appointed a Provost's Fellow, Mary Ann McDowell, to foster relations and make the Senate a more effective body. JRS stressed the importance of the Senate's role in university governance, and opportunities for the Senate to provide input.
  - c. JRS also stressed that the administration takes a keen interest in the Senate. Following each Senate meeting last year, JRS met with Provost Burish for an informal discussion; this year the entire Executive Committee will be included in these discussions, which are designed to foster communication and apprise the provost of faculty views on particular issues.
5. Committee Reports
  - a. This year the Senate will experiment with a new format; in order that committees might have more time for deliberation, their meetings will be held during the hour before the full Senate convenes. Committee chairs will then make their reports during the meeting of the full Senate.
  - b. There were no reports given, as none of the committees had yet met.
  - c. Two committee chairs have been elected: Benefits: Nasir Ghiaseddin; Student Affairs: John Gaski. The Administrative Affairs and Academic Affairs committees still need chairs.
6. Old Business
  - a. Notre Dame International (NDI) Resolution: JRS provided some history of the resolution and its consideration by the Senate, and then opened the floor for discussion on how the Senate might proceed. Senators noted that NDI is a high-profile effort with great potential for research, development, and faculty and student engagement. JRS noted that NDI has the biggest impact on Arts and Letters, and some Senators from that college reported hearing concerns about a lack of

consultation with faculty. It was suggested that the resolution as originally framed by the Arts and Letters College Council be sent to Dr. Pippenger, with a request to address the Senate and share his vision for NDI as well as his views on how the concerns expressed therein might be addressed. It was also suggested to invite a representative from the Arts and Letters College Council to speak to the issue as well. The Senate will postpone any further action on the resolution until after these presentations.

7. New Business (addressed after Dean McGreevy's presentation)
  - a. Proposal to invite the Provost to the first 20 minutes of each meeting: the Senate will consider this proposal at the next meeting.
  - b. Bookstore representative: JRS will send out a request for this representative via e-mail.
  
8. Presentation and Discussion of the Core Curriculum Review with John McGreevy, Dean of the College of Arts and Letters and Co-Chair of the Core Curriculum Review Committee.

Dean McGreevy first provided a detailed overview of the history of the review process, the five central questions that framed the process, and the resulting proposed changes to the Core Curriculum, which reflect the "ways of knowing" approach taken by the committee. He indicated that the changes are also intended to address three basic student concerns: (1) flexibility in the curriculum; (2) intellectual challenge in introductory courses; (3) more intellectual integration in course offerings. He pointed out what was new in the proposal, including "integration courses" and "Catholicism and the disciplines" (CAD). He also laid out the next steps: the co-chairs of the committee will visit the various college councils for input; the proposal will then be considered by Academic Council later this fall. If passed, the provost will appoint an implementation committee, with a goal of beginning implementation in Fall 2018. Dean McGreevy then took questions from faculty:

Q: Did the committee ask whether students use AP credit to graduate early?

A: The number is growing, but is still under 1%.

Q: Could AP credit be used to waive major requirements?

A: The committee is open to the idea; departments could decide to do this.

Q: Is a course in logic not required?

A: Such is not required at present; however, logic is part of some philosophy and math courses.

Q: How might we ensure faculty support, and the participation of senior faculty? Departments cannot always afford to have senior faculty teach these courses.

A: This is a question of will; the old Core courses died due to lack of participation of T/R faculty. How can we avoid that same situation here? CAD and integration courses should help.

Q: Could you describe the formation and structure of the committees that will oversee these courses, and will decide which ones will count for particular core requirements?

A: A university committee will be elected from across the entire faculty, and sub-committees in the various areas will also be constituted; the latter will have three members, and will be asked to make unanimous decisions.

Q: How will a high AP score be used?

A: The student will move automatically to the next course in the sequence; for example, if a student tests out of Calculus I with AP credit, s/he will move automatically to Calculus II.

Q: May departments add credits to majors in order to accommodate the new requirement for three free electives?

A: The Core Committee would prefer that departments examine their majors to see if they are perhaps “overbuilt,” and find ways to reduce major requirements rather than add credits to the overall total.

Q: Can Notre Dame still attract students with a score of 5 in many AP courses? How do we explain this change to them?

A: About half of our peers do not count AP credit. The Director of Admissions does not think it will be an issue.

Q: Will this change in the use of AP credit impact the number of majors completed by students?

A: It may have an impact on second majors, but data suggest that this is not likely. Core requirements have been reduced for 70% of students. Currently 70% or more of students in Arts and Letters major in two areas, and this is not likely to change.

After Dean McGreevy departed, JRS encouraged senators to send feedback to the committee via e-mail: [corerevw@nd.edu](mailto:corerevw@nd.edu).

9. The next meeting will be held on Tuesday, 4 October 2016, in 136 DeBartolo Hall.

10. The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Mary E. Frandsen  
Dept. of Music  
Co-Secretary

**Minutes of the Faculty Senate Meeting University of Notre Dame**  
**October 4 2016**  
**136 DeBartolo Hall**

**Attendees:** Matthew Capdevielle, Dominic Chaloner, Annie Coleman, Chuck Dittbennes, Bridgette Drummond, Mary Frandsen, David Galvin, John Gaski, Nasir Ghiaseddin, Michael Hemler, Daniel Hopkinson, Daniel Johnson, Randy Kozel, Beyerlein Kraig, Byung-Joo Lee, Hai Lin, Chao-Shin Liu, Adam Martin, Paul McGinn, Sylvia Ptasinska, Jeanne Romero-Severson, Anna Simon, Phil Sloan, Marsha Stevenson, David Thomas, Joe Urbany, Meng Wang, Hannelore Weber, Xiaoshan Yang, Samir Younes, Guagjian Zhang

**Excused:** Matt Bloom, Ben Heller, Howard Lanser, Natalie Porter, Chris Pratt, Ben Radcliff, Aaron Striegel, Shauna Williams

1. Opening prayer: Jeanne Romero-Severson (JRS), Chair of the Senate.
2. Introduced new Senate Administrative Assistant: Lawrence Koepfle ([lkoepfl1@nd.edu](mailto:lkoepfl1@nd.edu)).
3. Minutes of the 3 May 2016 and 13 September 2016 meetings were submitted for approval by the senate. No corrections or additions were needed. Motion moved, seconded, and approved.
4. Chair's Report
  - a. Appointments. After brief description of responsibilities, JRS asked for volunteers to serve as senate representatives on the Bookstore Committee and Campus Life Council representative.
    1. Bookstore Committee representative: David Galvin, Dept. of Mathematics.
    2. Campus Life Council representatives: Sylvia Ptasinska, Dept. of Physics and Dominic Chaloner, Dept. of Biological Sciences.
  - b. Committee on the Evaluation of Teaching update. JRS gave an overview of the committee, explaining the context and what had been done, including analysis of all Class Instructor Feedback (CIF, but not TCE) data since its inception. Several issues had become apparent about which the committee were unanimous in agreement. These issues, along with recommendations about how CIFs should be used, will be shared in a report that is still a work in progress.

Q: When will the report be released?

A: Draft will be generated by the end of the semester, when the focus will be on the educating the dept. chairs and college deans about CIFs, along with recommendations about what other things that should go into the evaluation of teaching.

Q: What about administrators given that depts. are better positioned to evaluate the content of teaching? Dept. and college evaluation of teaching is fine but this is perhaps more of a concern about the Administration level (i.e., Provost Office).

A: How this would be addressed would be decided later.

Q: Are the report findings confidential at this moment?

A: Transparency is important but this is delicate issue, so although information has been shared with the senate, it would be appreciated that specifics were not shared outside the senate at this time.

Q: Were there any other factors that were important across units other than those already mentioned?

A: Those two factors were the most important.

Q: Depending upon recommendations, how would guidelines be generated?

A: Considered opinion is that the various things already stated will be addressed in the future.
5. Committee Reports
  - a. Benefits. Not too much will be changing but a complete overview and update will be provided tonight by Denise Murphy. Proposal talked about last time has been approved. There are a few items or issues that will come up in the future, including dental plan changes; provision of record keeping for costs of benefits today and in the past (some universities are suing because the cost is too much), and parking.
  - b. Administrative affairs. Daniel Johnson, Hesburgh Library, is new chair. Nothing to report at this time. JRS highlighted the importance of the committee considering whether SPFs can represent depts in the senate.
  - c. Academic affairs. JRS mentioned that a chair needs to be recruited for the committee. Shared that a report on the CIFs committee was given similar to what had been given to the whole senate. In the future, the Academic affairs committee will have to develop a resolution on the core curriculum revision.
  - d. Student affairs. Organizational orientation was worthwhile and the committee is ready to identify issues to discuss.
  - e. Provost fellow. Mary Ann McDowell (MAM) highlighted that one important item is the communication of senate business. Provost has asked dept. chairs to include as an agenda item senate dept. representatives sharing what the senate has been discussing. Therefore, wanted to encourage dept. reps to speak at faculty meetings. Also, asked the senate to consider asking the Provost to attend and make a formal presentation in order to facilitate communication.

Q: Is the Provost available?

A: Yes, he would make himself available.

Q: What about every meeting?

A: Provost thought it would be most productive to make a formal presentation but did not think there was time to do that during every senate meeting.

Following motion was proposed: *Make it a practice to invite the provost to the first faculty senate meeting of each semester to address faculty senate and answer questions submitted to him ahead.* Asked whether there was need for discussion but none was needed. Motion was seconded, and then approved.

## 6. Presentation and discussion

### a. Benefits Update by Denise Murphy, Director of Benefits and Wellness

Overall, very few changes. However, what's new includes children being covered up to the age of 26; hearing-aid benefit increased; dentist plan upgraded, and life insurance modified.

Reminders of the existing plans - including with respect to drug prescriptions;

Highlighted several things about the current healthcare benefits, including:

Castlight - a tool for healthcare pricing that Human Resources is trying to promote. Helps with understanding the pricing of different services and to be more aware of the costs of medicine.

Monthly premiums - not changed very much.

Wellness center – highly used and has a reduced copay.

Health screenings - several incentives to participate, including savings, but wanted to encourage everyone to participate given that health screenings are down.

Delta dental – especially evidence based dentistry for participants with specific conditions that would entitle individuals to more regular services.

Eyemed - dependent eligibility until 26.

Life insurance - no major changes, but some changes in the process.

Flexible spending - no changes.

Critical illness and accident insurance plans – some specific changes.

Reminded about Open enrollment (October 18 - Nov 4), and again about the health screenings; health advocate program (to help with healthcare or insurance issues), and the Lifeworks Employee Assistance Program.

Q: Is there additional assistance for emeriti?

A: Human resources is working on additional information for retirees.

Q: What happens if someone forgets to enroll?

A: This year the system will default to what individuals already had, except for flexible spending accounts.

Q: What about the problem of the cost of using out-of-network testing?

A: Important issue because of the extra cost when doctors use outside of network testing over which the patient has little or no control. The way to deal with this is through the appeals process. ND will go to the providers to negotiate to resolve it. Sometime the costs are justifiable but often it is not.

Denise Murphy was thanked for her presentation, which will be posted to the faculty senate website as a pdf.

### b. NDI by Michael Pippenger, Vice president and Associate Provost for Internationalization.

Gave verbal presentation without powerpoint. Started with academic interests and background at Columbia University, and described the process by which he was hired by the university. Explained reasons why came to Notre Dame and emphasized that what he felt was most important about his background was his experience with global education.

Discussed what he has been up to since coming to Notre Dame about a month ago, including meeting with anyone with connections to NDI.

JRS highlighted the distinction between the college council resolution and that no resolution was actually passed by faculty senate.

Discussed plans for the future, some of the issues and how to leverage existing infrastructure and faculty expertise.

Ended his presentation by asking for questions.

Q: How would NDI interact with the new Keough School?

A: NDI can support the kind of research that will help put Keough School on the map. Overall, this will be addressed by how different units work together, but NDI responsibility will be to integrate the things that different units are doing. This should be considered an opportunity. No specific strategy at this time but NDI is committed to working with everyone, with NDI as the center-point.

Q: Asked about the issue of 'island' international programs, and the importance of not replicating what students get in South Bend.

A: Gave the example of the Pueblo, Mexico pre-med program of what the ideal should be. Agreed that it was important to be both taught by and work with people from the host country, and NDI needs to facilitate this. London program was critiqued as not being ideal in this respect but is working to address these issues. Moreover, there are many ways to get students outside the bubble.

Described how Columbia University students to take courses in the language of the host country for several semesters. Highlighted the challenges to being able to take a course given in the host language, such as Chinese, because students are not linguistically prepared. Overall, a complicated issue. Columbia students mostly go to somewhere else than English speaking countries. Good thing to have a language requirement. But there was something arbitrary about the language requirement. There are also the complexities of student course load. Described the experience of a student who followed a specific path because of the nature of the language requirement.

JRS encouraged NDI to solicit the opinion from the College of Arts and Letters given the significant expertise available there.

JRS asked David Thomas, Dept. of English, for the perspective of the College of Arts and Letters. Responded that it was important to be cognizant of the bubble culture and to get them away from other Americans while they were studying abroad.

Q: Can NDI also be attentive to what is happening in South Bend? What happens if student spends their whole 4 years in South Bend?

A: But similarly what about international students that come to South Bend from other countries. Unfortunately, international students tend to stick together while they are here at ND.

Michael Pippenger was thanked for his presentation.

The meeting was adjourned at 7:50pm

Minutes submitted by

Dominic T. Chaloner, Dept. of Biological Sciences, Co-Secretary

**Minutes of the Faculty Senate Meeting**  
**University of Notre Dame**  
**1 November 2016**  
**136 DeBartolo Hall**

**Attendees:**

Matthew Capdevielle, Dominic Chaloner, Annie Coleman, Tarek Dika, Chuck Dittbennes, Bridgette Drummond, Mary Frandsen, David Galvin, John Gaski, Nasir Ghiaseddin, Marie Halvorsen, Ben Heller, Michael Hemler, Daniel Hopkinson, Daniel Johnson, Randy Kozel, Byung-Joo Lee, Chao-Shin Liu, Adam Martin, Paul McGinn, Natalie Porter, Ben Radcliff, Jeanne Romero-Severson, Phillip Sloan, Marsha Stevenson, Meng Wang, Hannelore Weber, Xiaoshan Yang, Guagjian Zhang

**Absent:**

Matt Bloom, Beyerlein Kraig, Howard Lanser, Hai Lin (excused), Sylwia Ptasinska (excused), Anna Simon, Aaron Striegel, David Thomas, Joe Urbany, Shauna Williams, Samir Younes

1. Senate chair Jeanne Romero-Severson (JRS) opened the meeting with a word of prayer.
2. The minutes of the meeting on 4 October 2016 were approved.
3. Chair's Report (JRS)
  - a. Update on the Ad Hoc Committee on the Evaluation of Teaching: JRS (who is a member of the committee) gave an overview of the recommendations that the committee plans to include in its report to the provost; it hopes to complete the report by the end of the fall semester. The report will include a number of recommendations. In addition, the committee will report that it has identified some significant causes of bias; these are not large but are significant. The committee will also recommend that the guidelines developed in 2006 by the Advisory Committee to the Provost on the Evaluation of Teaching (ACPET) be made available to all departments. JRS then took questions from senators concerning the likelihood that the recommendations will be implemented (seen as likely), how such ad-hoc committees are formed (this one was formed by Dan Myers from recommendations, including from the Senate), how the committee will deal with question 12 on the CIF (will set it aside and calculate means on this question separately), whether the biases noted would appear in the report (yes), and whether the report would be circulated to departmental CAPs (yes).
  - b. Search for Vice-President and Associate Provost for Innovation. This officer will run the IDEA (Innovation, Discovery, and Enterprise Acceleration) Center, a new entity in which all activities associated with intellectual property have been consolidated in one office. This search is well underway; at the time of the meeting, two of the three candidates on the short list had been interviewed.
  - c. Future invited guests: Eliot Visconti on digital learning initiatives (accepted); Diane Parr Walker on library renovations and other initiatives (accepted); Jack Swarbrick on football scheduling and well-being of student athletes (proposed); Hugh Page on the Honor Code (Proposed).
4. Presentation on Two-Step Login procedure by Ron Kraemer, Vice President for Information Technology. (Jason Williams, Director of Information Security, was also in attendance.) VP Kraemer explained that staff members had successfully been using the two-step login procedure since

December (2015) and that it would be rolled out for faculty in the coming weeks. The new system involves use of a username and password as well as a message or code that one receives from a second source, such as a cell phone, land line, or fob (available for purchase). After the initial login, the system will remember the user for thirty days if requested. All subsequent university logins (library databases, InsideND, etc.) are covered under the initial login. Faculty will no longer have to change their passwords, but will have to re-enroll every thirty days. This system is more secure than the present system, and protects from phishing scams and other types of intrusion. VP Kraemer explained that many institutions have suffered major intrusions from foreign governments seeking research data, and from members of organized crime seeking bank accounts and personal information. This system places one more step between the individual and the one seeking to steal credentials, and stops 85% of such attempts. Compromised accounts among staff members have virtually disappeared as a result of the implementation of this procedure. The open enrollment period for faculty will last from November 2016 until February 2017; at that point, OIT will contact faculty members who have not yet enrolled. Assistance and demonstrations will be provided by OIT. VP Kraemer also indicated that 85% of research institutions in the US either have implemented the two-step login, or plan to do so; 98% use the two-step authentication product available from Duo, which Notre Dame has also adopted. All have seen a downturn in the number of compromised accounts.

VP Kramer then took questions from senators:

Q: Could you explain the process, and explain what is Duo?

A: It is a two-step login process in which one can enroll various devices; Duo is the company that provides the platform.

Q: What about the problem of using a cell phone when traveling internationally?

A: One can purchase a fob that will generate a code; the fob does not require wi-fi to work.

Q: What about classroom computers?

A: These will not be enrolled; departments with computers in classrooms not controlled by the registrar should contact OIT to prevent enrollment of these machines.

Q: Is an e-mail code an option?

A: OIT has not used e-mail or texts.

Q: What happens after 30 days?

A: Faculty will be asked to perform the two-step login again; one can then tell the system to remember her/him for 30 days.

Q: What happens if one uses an office phone as the second source?

A: The system will call that phone, indicate that someone is attempting to log in to her/his account, and will ask for approval. If one does not approve, one can simply hang up.

Q: What if one is using one's computer in Europe, and logging in to a Notre Dame account?

A: For this it is best to purchase a fob, which will generate a pass code; the fob does not require wireless or an internet connection.

Q: Is it possible for the system to indicate where one is in the thirty-day period?

A: At this point it is not; when traveling out of the country, it is best to re-enroll and start a new thirty-day period.

Q: Can't both steps be stolen?

A: It would be very unusual to have both stolen.

Q: Will students be enrolled?

A: Students will probably be enrolled in Fall 2017.

Q: Should one get a fob if one is traveling abroad?

A: I have traveled to Rome and London and have not needed the fob, but have one as a "security blanket."

#### 4. Committee Reports

a. Benefits: Nasir Ghiaseddin reported that the committee spoke with Denise Murphy about the new overtime rule finalized by the U.S. Department of Labor, under which anyone making less than \$47,476 per year must receive overtime for hours worked beyond 40 hours a week. This rule change will affect many post-docs; either their salaries must be raised above the threshold, or they must be reclassified. Graduate students are not affected. JRS added that the National Labor Relations Board has ruled that graduate students at Columbia University are entitled to collective bargaining under the National Labor Relations Act, and thus should receive benefits, and that HR is looking at the issue. She added that post-doc work is by definition overtime, and that the National Science Foundation has been silent on the issue.

b. Administrative Affairs: Dan Johnson reported that the committee will examine multiple issues regarding SPF and their potential roles in the Faculty Senate; it is also considering allowing SPF to represent their departments in the Senate, and weighing the pros and cons. Various options exist for increasing SPF representation in the Senate; the committee will seek more information on this and will engage SPF on the issue, invite SPF to speak with the committee, and reach out to the SPF governing body. The committee will also consider the question of nomenclature for non-tenure-eligible faculty (the present system is unique to Notre Dame), and whether a more standard system of nomenclature should be adopted. The committee plans to bring proposals to the full Senate in spring 2017. In the brief discussion that followed, it was noted that quite a number of departments do not send a representative to the Senate; one senator asked whether departments are required to do so, and JRS responded that the Academic Articles simply indicate that departments "may have" representation.

c. Student Affairs: John Gaski reported that the committee continues to plan its agenda for the year, and will have something for the full Senate by March.

d. Academic Affairs: JRS reported that the committee presently has no chair, and has decided that committee members will serve as chair and as representatives to Academic Council on a rotating basis. Mary Ann McDowell (MAM) responded that this might not be a possibility; she will check the Academic Articles. JRS gave the committee an update on the progress of the CIF committee. The committee also discussed whether the Senate should send a representative to the Honor Code committee; that committee recently sent out a survey, which all faculty should have received. MAM asked if the Senate would make a formal response to the proposed revisions to the Core Curriculum; JRS indicated that the committee would draft a response, and that Academic Council would vote on the proposed changes in December.

#### 5. New Business: none.

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Mary E. Frandsen, Associate Professor of Music  
Co-Secretary

**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 Hopkinson, 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

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 17<sup>th</sup> 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



**Minutes of the Meeting of the Faculty Senate  
Special Session on Sanctuary Status  
University of Notre Dame  
17 January 2017  
136 DeBartolo Hall**

**Attendees:** Matthew Capdevielle, Dominic Chaloner, Annie Coleman, Tarek Dika, Mary Frandsen, Ben Heller, Michael Hemler, Daniel Hopkinson, Daniel Johnson, Paul McGinn, Richard Pierce, Sylwia Ptasinska, Ben Radcliff, Jeanne Romero-Severson, Phillip Sloan, Marsha Stevenson, David Thomas, Meng Wang, Hannelore Weber, Xiaoshan Yang, Samir Younes,

**Excused:** John Gaski, Nasir Ghiaseddin

**Absent:** Matt Bloom, Chuck Dittbennes, Bridgette Drummond, David Galvin, John Gaski, Nasir Ghiaseddin, Randy Kozel, Beyerlein Kraig, Howard Lanser, Byung-Joo Lee, Hai Lin, Chao-Shin Liu, Adam Martin, Natalie Porter, Anna Simon, Aaron Striegel, Joe Urbany, Shauna Williams, Guagjian Zhang

**Guests:** Marianne Corr, Vice President and General Counsel; Jason Ruiz, Associate Professor of American Studies; Leo Guardado, Graduate Student, Kroc Institute for International Peace Studies

1. Senate chair Jeanne Romero-Severson (JRS) opened the meeting with a word of prayer. She then announced that the purpose of the meeting was to consider the Faculty Senate Resolution on Sanctuary for Undocumented Students, and asked for confirmation of the presence of a quorum of voting members. She then asked the chair of the Administrative Affairs Committee, Dan Johnson, to make a report.
2. Prof. Johnson gave a brief history of the development of the resolution, which included a meeting of the committee in which the members heard presentations from Prof. Jason Ruiz (JR) and Ph. D. student Leo Guardado (LG). He indicated that the committee had invited participation from other senators. The committee met on January 9 to finalize the draft, and then circulated it among members (some of whom who could not be present at that meeting) for more suggestions and minor edits, after which the draft resolution was adopted by the subcommittee. He also summarized the philosophical considerations that went into drafting the resolution, which included the desire to draft something that did not differ radically from what the University administration had already articulated, to avoid language that encouraged breaking the law and going against legal practices; something positive and consistent in tone. He then invited guests JR and LG to address the Senate.

JR: In 2013, Fr. Jenkins announced that ND would admit and fully support undocumented students, in accordance with the “Deferred Action for Childhood Arrivals” (DACA) policy established by President Obama in June 2012. He explained that the “Dream Act” works in conjunction with DACA – if a student attended an American high school, s/he can attend an American college or university as an American citizen and receive financial aid. A sanctuary movement began in the second half of 2016, due to concerns about the possible election victory of Donald Trump, who had indicated that he

wanted to end DACA immediately. After the election, there were organized efforts around the country to declare colleges and universities “sanctuary campuses.” A petition that looks much like the Senate resolution, and that urged Fr. Jenkins to declare Notre Dame a sanctuary campus, gathered over 4700 signatures in 24 hours and was delivered to Fr. Jenkins as part of a sit-in at the Main Building. JR compared this with efforts at other institutions. Fr. Jenkins is very sympathetic to the issue; Ruiz had also heard (but not been able to verify) that Fr. Jenkins is enacting some of the policies recommended by the petition. JR stressed that the movement to declare ND a sanctuary campus needs pressure from multiple constituencies – students, faculty, etc.

LG, who is writing a dissertation on sanctuary, said that the word “sanctuary” speaks to who we are, and is a Christian term that has been in use for 2,000 years in the Judeo-Christian tradition. In the 1980s, another sanctuary movement developed in which U. S. churches gave refuge to Central Americans who were being persecuted. Guardado came from El Salvador in 1991 (at age 9), before the war ended, and crossed the border illegally. Swarthmore College gave him a full scholarship as an undocumented student. Sanctuary status tells undocumented students and those thinking of attending a university that the university will protect them and give them refuge. Deportation is a real thing to undocumented students –it forces them to return to dangerous places and situations. LG encouraged the Senate to take a public stance. JRS added that ND has about 50 such students; the University of California system has over 5,000. The absence of DACA will lead to a serious crisis – the situation is very dire. Access to places like Notre Dame will be seriously restricted if DACA is rescinded.

Commented [Office1]: I had this as a comment that JR made rather than LG.

Prof. Johnson then moved that the Faculty Senate take up the motion (the resolution on sanctuary) that was before it; the motion was seconded by Ben Radcliff.

3. JRS then invited University Counsel Marianne Corr (MC) to speak. MC pointed out that the word “sanctuary” creates a challenge and a legal issue, and pointed out that some universities (e.g., Harvard) have felt that they could not adopt the term, as it has no legal definition; it may give students a false and misleading assurance, as a university cannot be what a church is regarding sanctuary. She then suggested some wording changes (given below in bold) in the four sanctuary provisions included in the resolution (note: the provisions are not numbered in the resolution; they have been numbered here for ease of reference):

1. The university affirms unequivocally that undocumented students are full members of the Notre Dame family who will be protected to the fullest extent possible by our legal services of the law.
2. The University of Notre Dame will not allow Immigration and Customs Enforcement (ICE) / Customs and Border Protection (CBP) / U.S. Citizenship and Immigration Services (USCIS) to be present on the university campus for enforcement purposes unless required by a warrant.
3. The University of Notre Dame will not share information about undocumented students with these agencies unless required by subpoena, or court order, or warrant.
4. The University of Notre Dame will continue to admit, to the full extent of the law, undocumented students and provide supplementary financial aid for them in the event that DACA is terminated or curtailed and if undocumented students lose the right to work.

MC indicated that she had no legal opinion on the final provision (on creating an office for undocumented students). She also encouraged the Senate to weigh whether the use of the word “sanctuary” is misleading and over-promising.

Discussion:

One member asked MC to comment more on no. 4, specifically whether it committed the University to defy the law; he indicated that many *emeriti* (whom he had surveyed) had mentioned this as a concern. MC did not see this as defying the law. Another member asked about the amount of information gathered from students by the University, such as with regard to financial aid, and wondered about the disclosure of this information, especially given that these students will have no Social Security number. MC: the University does not share this information; only aggregate information is reported. Indeed, one example was given where the University was asked to share information and ignored the request. Moreover, DACA students need to share specific information with the federal government in order to get that status. Another member asked what to do about research programs in which all participants must be citizens according to the terms of the grant? In other words, by knowing that they can participate in a particular program, one is aware of their status – what are the legal implications if one fails to disclose this information, for example if one is receiving federal funding? MC: Must ask the students, and must certify the validity of their status, but currently there are no ramifications if this is not done – one can gather information without asking the specific question. MC added a “tangent point”: that with grants, the institution is required to certify that we are not in violation of any law. The use of term “sanctuary” is not well defined legally and thus its use may bring scrutiny and indicate we are breaking the law. It may be a “flag” on grant applications. Worth thinking about. A member asked whether there is another term or phrase that might be used in place of “sanctuary”; MC was not sure. Another member asked whether it was the view of MC that none of the five provisions of the resolution are in violation of federal law. MC: yes, none violate the law, but could benefit from some tweaking for clarity. Another member asked whether there are any provisions here that Fr. Jenkins has not already put in place. MC: perhaps the office for undocumented students. JR added that federal law will change shortly, and that perhaps the Senate should recommend to Fr. Jenkins that he not abide by the law, and not comply with a change in federal policy that will place a group of students, who are part of the Notre Dame family, in a difficult situation. Perhaps the Senate should recommend that Fr. Jenkins not comply with an unjust system, and not suspend existing policies. The resolution becomes meaningless if the Senate does not recommend that Fr. Jenkins resist federal policies. Another member added that we are not recommending that Fr. Jenkins return to other policies – these are the provisions that we can stand behind, and represent how we understand “sanctuary” in this environment. The word “sanctuary” means something to people; what we mean is these five provisions. Even without DACA the provisions will not be against the law. We may personally feel resistance to federal order is important but these provisions are not saying this.

4. JRS then opened the floor to members to offer amendments, after reminding faculty that the process should be orderly.

Anne Coleman then moved that we amend the specific language in the first four provisions in accordance with MC’s recommendations.

JRS indicated that Roberts Rules dictate that the Senate must address each of these suggested changes separately.

**Provision no. 1**

Phil Sloan moved that the proposed change to provision no. 1 be adopted; seconded by Richard Pierce.

Discussion: one member stated that the change was an obvious improvement. Another questioned whether “of the law” was not already understood in the original provision, and felt that the reference to university resources carried more force. Another felt that adding “of the law” was important, as it went to the heart of the provision – protecting the students. Another felt that the Senate should make the boldest, most robust statement possible, and not alter the language here. Others suggesting combining both clauses. (Here JRS indicated that the Senate must first deal with the current motion.) MC added clarification: legal ethics prevent the Counsel’s office from taking students on as clients, as the University is its client. She added that legal resources could be brought to campus for these students. Another member pointed out that the law will soon change, and felt that if our principal concern was to protect students when the law changes, that we should state this specifically; otherwise this was not a serious document. Another pointed out that too many faculty feel that potential illegality and compliance with federal law is crucial in whether they could support the resolution. Another questioned whether the resolution was prescriptive or a response to something actual, and that we should not presume something might happen that was stated in campaign rhetoric. Another member pointed out that Bob Mundy of Admissions had told her (in a telephone conversation) that most of our undocumented students came in under DACA, but not all (some were too old, for example), and that the University is already supporting non-DACA undocumented students, and that this will continue to be the case.

JRS then called for a vote on the proposed change to provision no. 1:  
In favor of the amendment: 16; Opposed: 5; Abstentions: 0; the motion was carried.

**Provision no. 2**

Annie Coleman moved that provision no. 2 be amended to read as proposed (see above); seconded by Dan Hopkinson.

Discussion: one member asked about the meaning of “enforcement,” and felt that this aspect was already covered in provision no. 3.

JRS then called for a vote on the proposed change to provision no. 2:  
In favor of the amendment: 20; Opposed: 0; Abstentions: 1; the motion was carried.

**Provision no. 3**

Annie Coleman the moved that provision no. 3 be amended to read as proposed (see above); seconded by Dan Hopkinson.

Discussion: one member felt that the provision should be amended to read “... unless required by law.” JRS indicated that the Senate would have to entertain a separate motion on this change. Another member spoke in favor of the change, and said that it indicates that we are going to stand our ground. Another said that s/he was not sure that “law” could not mean more than indicated here (such as a presidential regulation). MC added that such a regulation must still have a triggering mechanism (e.g., “show me the warrant”) – it must have language that triggers her to respond. In other words, it is not enough for someone to demand that something is demanded by the law; one needs a third party, an independent arbiter to decide that the petitioner has the right to petition under the law. A member asked MC whether she suggested the addition of the phrase “or warrant” to give the petition more strength, and MC responded in the affirmative.

JRS then called for a vote on the proposed change to provision no. 3:  
In favor of the amendment: 20; Opposed: 0; Abstentions: 1; the motion carried.

**Provision no. 4**

Phil Sloan moved that provision no. 4 be amended to read as proposed (see above); seconded by Paul McGinn.

Discussion: one member pointed out that without DACA, undocumented students would be considered international students. Another member then raised questions about undocumented graduate students, and whether they would have to apply for an I-9 visa if working in a research project; he also wondered how the government views having undocumented students with fellowships and free tuition (i. e., not working). He added that with respect to provision no. 4, one might have undocumented students who are not covered under DACA, and wondered if the provision should say “any undocumented student.” Another member agreed with the spirit of the proposed change, but felt the provision would read more smoothly if “to the full extent of the law” were placed at the beginning of the provision. This was accepted as a friendly amendment. [No. 4 as amended: “**To the full extent of the law**, the University of Notre Dame will continue to admit undocumented students and provide supplementary financial aid for them in the event that DACA is terminated or curtailed and if undocumented students lose the right to work.”] Another member asked about the spirit of the original wording – did it indicate that the University will continue to support undocumented students if legal support were removed? LG explained that he had received a scholarship as an undocumented undergraduate student, and that he had also worked, but not in program that received federal funds. He asked “what if it becomes illegal?” and did not see a need to add the clause. JR opposed the amendment, and indicated that the original intent of the sanctuary movement was to recommend that Fr. Jenkins make a moral statement, in the event that the law changes and the students become “illegalized.” Another member raised the issue of federal money for research, audits, and consequences for international graduate students, even those supported by university funds rather than external research funds. MC indicated that there is a difference between what the law actively prohibits and where the law is silent. “To the full extent of the law” incorporates those situations where the law does not prohibit an action. Even if DACA is repealed, one still has room to maneuver under the law. Another member opposed the amendment, stating that the resolution is not a legal document, and that each provision mentions the law, so we cannot avoid a commitment to avoid action that could become illegal. No one knows what that this will mean in the future because things could change, but we can’t connect ourselves to those changed meanings. He added that this is a moral document, and that moral acts are not bound by the law. Another member supported the previous member’s statement, and also opposed the amendment, stating that each addition of “the law” waters down the resolution. Another member pointed out that if we want the support of more faculty, more would prefer such a caveat (“to the full extent of the law”) be included. Dan Hopkinson (student representative) also spoke against the amendment, and in support of the views expressed by JR, LG, and the previous two speakers, that the Senate should make the statement as strong as possible. He pointed out that the issue of legality came up in the drafting of the student resolution on sanctuary, and that students did not wish to risk losing federal funding. But they were willing to sacrifice a lot, even if it meant not complying with the law. Another member also spoke against the amendment, and felt that adding “the law” to each provision changed the tone of the resolution considerably. Another member felt that the references to “the law” would increase faculty support for the resolution. Another felt it was important to be prepared with a strong document for any eventuality. MC pointed out that there is a middle ground, and that we don’t go right to civil disobedience, but rather comply and challenge in court; she mentioned the Affordable Care Act (ACA) as an example. The law provides citizens the right to comply with and challenge the law. A member then asked about the meaning of “compliance”; would this mean that students would have to leave the University, after which the University would mount a legal challenge? MD invoked the

legal concept of “immediate harm,” whereby the university would be able to put in place a legal injunction to prevent expulsion of students or keep the status quo while going through the legal challenge. JR: based on this, the Senate should not add “to the full extent of the law” to this provision, as it will be asking Fr. Jenkins to continue the current policy and admit undocumented students. A member stated that he agreed with JR, and felt that the provision as originally stated did not go against the law. He shared the resolution with his department, and three-quarters of the respondents were strongly in favor of the original wording. Another member also agreed (against the amendment), and heard it as saying “the University will use the law to the fullest extent to keep admitting undocumented students.” Another member stated that half of the respondents from his department would not be supportive without the amended language, that 55-60% percent were in support, but several added that they did not know the implications of this for federal grants, and were concerned about the violation of federal law. Another member stated that Fr. Jenkins is already doing these things, and that the original provision is not asking the University to break the law. LG: added that he hoped that if the law changes to state explicitly that undocumented students were not to be accepted, that Notre Dame would continue to admit them.

JRS then called for a vote on the proposed change to provision no. 4:

In favor of the amendment: 5; Opposed:14 ; ~~Abstentions: 2~~. The motion did not carry. [Provision no. 4 with original wording: “The University of Notre Dame will continue to admit undocumented students and provide supplementary financial aid for them in the event that DACA is terminated or curtailed and if undocumented students lose the right to work.”]

**Commented [Office2]:** I had no abstentions – I may have just done the math of  $5 + 16 = 21$  which is what we had for the prior amendments. It might be the number opposed was not 16 but rather 14?

Tarek Dika (TD) then moved that provision no. 1 be amended with the following language, to be added at the end: “Should the law become inconsistent with the Catholic principles of Notre Dame, the University reserves the right to protect its students beyond the bounds of the law.” Seconded by Dan Hopkinson.

Discussion: One member disagreed with the letter of the amendment, but understood the spirit; he pointed out that Catholic principles are themselves malleable, and the phrase thus had no definitive meaning. TD explained that the open-endedness of “Catholic principles” was intentional, in order to give Fr. Jenkins the flexibility to invoke whatever principle he desired to act on at any particular time. JRS stated that she understood the spirit of the amendment, but pointed out that there are times when it is important that we have some latitude to act upon our moral principles. There is a long history of this being done, to get as close to the edge without going over the edge. To say “we’re going to break the law if it exists” removes the ability to get things done quietly. Another member spoke against the amendment, and pointed out that some of the points had already been made earlier in the resolution; he feared it would open up a morass of debate on “what are Catholic principles?” He felt that there is enough on this already in the document. He polled the emeritus faculty, and 65 expressed support for the resolution, while 10 were against; he thought this amendment would be divisive. The resolution already includes enough context on Catholic social teaching. JR: in terms of crafting the resolution, they tried to focus on what college presidents can do; he didn’t know if he could ask Fr. Jenkins to break the law. The resolution without this amendment is in accord with others around the country. TD: then if the law changes, would we allow federal officers on campus? Another member felt that provision no. 4 already did the work of TD’s amendment. Another member questioned the wording of no. 4, and stated that it seemed to refer to future (rather than current) students by implication; he asked whether the document protects current students. JRS said that it is implied. She added that we don’t gain ground by adding provisions that cannot be put into practice by the institution. Another member suggested the wording “... vows to take all avenues provided by the American legal system to protect our students”; JRS indicated that this change would take a separate amendment. Another

member supported the spirit of the amendment, but felt that no. 4 was stronger without it. TD explained that the reasons for it were two: (1) the need to state this explicitly, and (2), to add something that expresses our desire for the University to protect its students if the law changes. If this can be achieved by the current language, fine, but if not, this other wording should be considered. He needs reassurance that this language is sufficient. One must adopt the means to achieve the desired goal. JRS felt the situation was not that cut and dried. Another member voice opposition to the amendment, and suggested a possible solution: add “to the fullest extent possible.”

JRS then called for a vote on TD’s motion as originally worded:

In favor of the amendment: 0; Opposed: 20; Abstentions: 1; the motion did not carry.

Ben Heller then moved that provision no. 1 be amended to read “... will be protected to the fullest extent possible.” [No. 1 as amended: “The university affirms unequivocally that undocumented students are full members of the Notre Dame family who will be protected to the fullest extent possible ~~by our legal services.~~” The motion was seconded by Annie Coleman, who then called the question; this was seconded by Tarek Dika. The vote was as follows:

In favor of the amendment: 18; Opposed: 0; Abstentions: 2; the motion carried.

JRS asked for any further amendments.

Michael Hemler then moved that the introduction to the four provisions be amended as follows: “Be it resolved that the Faculty Senate of the University of Notre Dame urges Father Jenkins to ~~declare the university a sanctuary campus and~~ adopt the following sanctuary provisions:”; seconded by JRS.

Discussion: Hemler explained that for some this language is needlessly confrontational. Several other members preferred that the language remain, and one indicated that it would be cowardly if we were to omit “sanctuary” – we need to show solidarity with the students; this term means something to them. Another member pointed out that to use the term “sanctuary” is not to adopt a specific legal point of view, but to show solidarity with other movements around the country. Another member agreed, but asked if there was danger in using the term, in that students might believe themselves to be more protected than they actually were. Dan Johnson added that the term was used by those drafting the resolution because of its resonance. LG added that undocumented students are aware that the University cannot ultimately protect them if the government comes after them, but that such a statement of solidarity makes an existential difference. The student representative added that in their discussion, the word “sanctuary” not only meant keep students here, etc. but also was meant as support for those who suffered verbal attacks after the election. Some were emboldened by hateful rhetoric. The word “sanctuary” is more than just what Fr. Jenkins can put into effect.

Dan Hopkinson called for a vote on the amendment; seconded by Phil Sloan.

In favor of the amendment 2; Opposed: 18; Abstentions: 0; the motion did not carry.

JRS then called for a motion TD vote on the resolution as amended, and reminded Senators that we needed at least two-thirds to pass the amendment.

In favor of the amendment: 20; Opposed: 1; Abstentions: 1. The resolution was adopted.

JRS: Thanked everyone for a civil debate.

The meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Mary E. Frandsen, Senator from Music  
Co-Secretary  
(With additions from Dom Chaloner, Co-Secretary)

Faculty Senate Meeting Notes  
Feb 7, 2017  
De Bartolo 217

**SIGNED IN AS PRESENT:**

Matthew Capdevielle, Dominic Chaloner, Annie Coleman, Tarek Dika, Chuck Dittbenner, Mary Frandsen, David Galvin, John Gaski, Nasir Ghiaseddin, Ben Heller, Michael Hemler, Daniel Hopkinson, Bruce Huber, Daniel Johnson, Beyerlein Kraig, Byung-Joo Lee, Hai Lin, Chao-Shin Liu, Adam Martin, Richard Pierce, Sylwia Ptasinska, Ben Radcliff, Jeanne Romero-Severson, Phillip Sloan, Marsha Stevenson, Joe Urbany, Meng Wang, Hannelore Weber, Xiaoshan Yang, Samir Younes, Guagjian Zhang

**NOT SIGNED IN AS PRESENT:**

Matt Bloom, Bridgette Drummond, Marie Halvorsen-Ganapola, Randy Kozel (on leave), Howard Lanser, Paul McGinn, Natalie Porter, Anna Simon, Aaron Striegel, David Thomas, Shauna Williams

Meeting called to order at 6:05

Jeanne Romero Severson (JRS) started with opening prayer.

JRS then shared Father Jenkins response to senate sanctuary resolution. Gave the gist of the content that Jenkins wants to wait and see, and that energy should be directed to creating a bridge. JRS asked that everyone think about the response and then let her know their thoughts, and then she offered to begin to communicate with Father Jenkins.

JRS next brought up recent communication with Phil Sloan with respect to the executive order on immigrants. Felt that we should not speak to this politically. However, JRS did want to highlight her personal experience of the impact on the college of science given the many international collaborations.

JRS sought approval of the last set of minutes from the December meeting and from the special meeting in January. Asked for corrections, and both December and January needed corrections on the spelling of names of attendees, and who was present. No other corrections were requested. After asking for a motion to approve the minutes, the motion was given and seconded. The minutes from both the Dec and Jan meetings were then approved with no abstentions or disapprovals.

## Committee Reports

### Academic Affairs

JRS highlighted that every 10 yrs. the academic articles of the University, under which the senate operates, are reviewed, and so there are real consequences from its content. JRS asked how many people had read the academic articles and the response was very few. JRS highlighted the importance for such things as tenure, etc. We have been requested to review the process the

administration would like to use, which is the same process used in the last review. An ad hoc group will be appointed to represent the stakeholders, and then a working group similar to core curriculum committee will then work on the various revisions and drafts that gets discussed and then have proposed revisions. Committee wording will be included to ensure that there is representation across colleges and schools, including engineering, science, and architecture. JRS emphasize that this is not trivial and needs broad representation. JRS shared that the CIF committee draft report has been shared with deans and the provost office. Feedback has been friendly, and there have been no substantive requests for changes. There will be a meeting soon to address any revisions. The committee has been asked to not discuss specifics until the process has been completed, but would like to be transparent.

#### Admin Affairs

Daniel Johnson explained that Admin Affairs had not met but will be taking up the SPF issue soon. Had followed up with the SPF group on campus, and through those interactions had been made aware of the various concerns about issues that had been expressed before, such as the date of notification of non-renewal; no consultation in the appointment of new deans; and fear of excessive service requests. Also, reminded him that the bylaws of the senate are in violation of the academic articles with respect to the number of SPFs being represented that is not proportional. In the future, will be meeting with the ad hoc committee of faculty governance to discuss these issues because they are also working on them, so they do not want to be at odds and duplicate effort.

JRS emphasized that academic articles can sometimes have the feel of a document from another period, while SPF is an evolving issue, and will take time to work out. Moreover, SPF issues may take some revision of the academic articles to address. But she also recognized that the issues had been considered before.

#### Benefits

Nasir Ghiaseddin (NG) explained that Benefits had not met this month but will be meeting with Human Resources to discuss changes that will happen after repeal of Obamacare.

JRS mentioned concerns about graduate students.

NG responded that graduate students are the responsibility of the graduate school not HR.

Matthew Capdevielle asked about Arts and Letter postdoc who will need to be switched to new program when they are no longer graduate students.

NG responded that pay will not be reduced because it's not determined by Obamacare but by the Department of Labor.

#### Student Affairs

John Gaski shared that business was conducted by email. May have resolution in a month but won't spring it on senate. Shared new business about the new reserve parking proposal because Gaski is the faculty representative on the parking committee and happy to receive any concerns or feedback about parking.

JRS introduced Bruce Huber from Law School as a new senator. Area of expertise is natural resources law.

JRS also highlighted that the Senate needed a new representative on student life campus council. Student representative shared examples of what they were doing. Also, shared that since Vice President for Student Affairs Erin Hoffmann Harding's Chief of Staff sits on the council, any resolution has to be responded to within seven days. JRS explained that need to make a commitment but will get back to this issue.

JRS shared that Provost Tom Burish will be addressing the senate next time and so if there are any items then need to be addressed then to pass these items to either Jeanne or Mary Ann so Burish can prepare ahead of time. JRS will encourage him to address those questions that are shared with him.

JRS mentioned that in Academic Affairs she discussed how the review of the academic articles might take place, and how to share that process. Decided to post it to the senate website.

Question: asked whether to invite Burish to stay for the whole meeting, whether this is anticipated or not.

JRS: he will be the only person on the agenda for that week. Small room will facilitate discussions. In the past, there has been standing invitation to the provost.

Question: can he come to any meeting if he wants?

MAM: he does not believe that it is the case. He would not come to any meeting because he believes that some individuals would prefer to have a conversation without him being present.

JRS then introduced Mark McKenna (MM), Professor in the Law School and Provost Fellow.

MM explained that being a provost fellow includes taking on a project.

Highlighted the need for diversity in all committees. Because diverse committees generally make better decisions. However, also reminded the senate that Notre Dame faculty is low in diversity overall, and thus there is a disproportionate load on those faculty that are minorities and/or women. Thus, he is working on making recommendations to address this problem. For example, could hire more women and minorities. MM emphasized that he is here to listen to suggestions and comments.

MM shared examples of things that have already been suggested include maybe the university puts too much emphasis on representation over consultation. Also, provide advice to dept. chairs and deans about mentorship, especially in terms of service. Notre Dame also has a retention problem so that as people leave, service falls disproportionately on those faculty that remain. Thus, partly it is a matter of making good choices on which committees faculty volunteer to work on. Also, methodology for choosing individuals to serve varies a lot across the university. How to be consistent. Another example would be rebalancing credit for service with respect to tenure but that is unlikely to go anywhere.

Question: Why do you think that giving more credit for service would not go anywhere?

Response: That would require a shift of focus away from research which would be unlikely. However, such a suggestion would go into report.

JRS: Why not try because of the value of service? How many people have voted on tenure – serving on a committee that votes on tenure has no value with respect to service. So, it is contrary to your best interest when you should be focusing on other things. Service has no perceived value even though it is important. There needs to be people to do this. Intent is to spread responsibility with respect to faculty governance. Women or minorities are expected to serve because administrators are looking for representation from particular groups, not for what one can bring to the table – i.e., experience. The whole process is therefore undermined. The institution wants participation but is not willing reward those that provide it.

MM: Another issue is protecting untenured from service. For example, in the Law School. But the consequence is that once you get tenure then the service burden goes way up, which in turn leads to stagnation of associate professors. The fact that it is not valued also means that people will opt out. Some units are much better about service but that's not universal.

Annie Coleman: Asked to speak to that issue. Part of the problem is language – service has no value but at junior level research is regarded as being more important. The administration could express its service expectations better and more uniformly. Each person has mentorship, should be able to decide “what kind of service do I care about” and it should have nothing to do with gender or ethnicity. In some depts a class system exists -- some scholars that have been successful do not have to do service – it is reserved for less productive faculty. Successful scholars get rewarded and recognition but the same is not there for other kinds of work that matters (i.e., service).

MM: Dept. chairs have used a tool that allows faculty to self-identify as to how they want to be evaluated.

Annie Coleman: the Dean of the College of Arts and Letters wanted to get more senior theses written – that became a category of evaluation but also it was communicated that you were expected to advise at least two senior theses; everyone is supposed to do some. Would like some language from administration above.

JRS: There is a perception that women do more service than male faculty. Is that true?

MM: women are serving disproportionately more on committees. But also work by women is disproportionate within those committees. What is the right proportion? Hard to figure out what is the right balance. Again, women and minorities are overrepresented compared to their numbers on the faculty.

JRS: This is conundrum. If doing too much service hurts tenure then that serves to reinforce not doing service.

MM: Arguably, it comes down to mentorship. Some people feel free to say no to requests while others do not. More education is needed about who is asking rather than the burden on people to say no in the first place.

JRS: Issue of faculty governance. We need more but that means if you want more faculty governance and that would require serious time commitment, and hence the need for more service.

MM: Especially if there is not a tight relationship between those that want it and those that would do it.

JRS: how do you get to be a provost fellow?

MM: The provost asks you and you can't say no. Interesting window into the process. You do get a teaching reduction.

Question: What is the most interesting thing you have learned?

MM: That the Provost's Office is interested in what faculty say.

JRS: Reminder that when provost comes: we can have pointed questions, but we should have those in advance. We can expect him to respond to those questions.

Questions: What questions can Provost address? What questions have already been received?

JRS: University budget and how the rumored cost overruns of Crossroads going to be addressed? Issues of academic freedom would be relevant. How will budget of academic initiatives be affected?

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

Meeting ended at 7:03 pm.

**Minutes of the Meeting of the Faculty Senate  
University of Notre Dame  
7 March 2017  
216 DeBartolo Hall**

**Attendees:**

Adam Martin, Anna Simon, Annie Coleman, Ben Heller, Ben Radcliff, Bridgette Drummond, Chao-Shin Liu, Chuck Dittbenner, Dan Johnson, Bruce Huber, David Galvin, Dominic Chaloner, Guangjian Zhang, Hai Lin, Hannelore Weber, Howard Lanser, Jeanne Romero-Severson, Joe Urbany, John Gaski, Marsha Stevenson, Mary Frandsen, Matthew Capdevielle, Michael Hemler, Nasir Ghiaseddin, Paul McGinn, Phillip Sloan, Richard Pierce, Samir Younés, Sylwia Ptasinska, Xiaoshan Yang, Tarek Dika

**Excused:**

Aaron Striegel, Beyerlein Kraig, Byung-Joo Lee, Daniel Hopkinson, David Thomas, Marie Halvorsen-Ganepola, Matt Bloom, Meng Wang, Natalie Porter, Randy Kozel, Shauna Williams

**Guest:** Provost Thomas Burish

Faculty Senate Minutes 3/7/17

Senate Chair Jeanne Romero-Severson (JRS) called the meeting to order at 6:02 p.m.

1. Opening Prayer (JRS).
2. Approval of minutes from 7 Feb 2017: JRS asked for corrections and emendations; were none. David Galvin moved to accept the minutes, seconded by Nasir Ghiaseddin; the minutes were approved unanimously.
3. Committee Reports
  - a. Academic Affairs – JRS
    - i. ACC scholar: the committee selected four scholars from the list: Keith Bybee (Syracuse), Neil F. Johnson (University of Miami), Stefan Duma (Virginia Tech), Eric Johnson (Clemson)\*. Needs a sponsoring department, comes with a budget of \$2500.00 (note: the provost will not make up costs over budget). Scholar chosen by the senate needs a sponsoring department; will postpone vote until interest of departments can be determined.
    - ii. Report of the CIF committee will be issued to faculty on March 20 and has already been seen by administrators, deans, and chairs. Academic Affairs will discuss it; JRS would like the Senate to weigh in on the report in April. All should read it in detail, and can pose questions to the members of CIF committee. JRS also pointed out that Prof. James Brockmole and possibly Mark Gunty (Office of Strategic Planning) will attend the April meeting, as will Director of Athletics Jack Swarbrick. We will also have the election of officers that night.

\* **The chair was incorrect here. She should have said “Kelsey Johnson (University of Virginia)**

b. Administrative Affairs: Dan Johnson

The committee heard from Judy Fox (Law School), chair of the Ad-Hoc Committee on Faculty Governance, as well as two members of that committee, Martin Haenggi (Engineering) and Hannelore Weber (German/Russian Language and Literature) on the SPF issue, which it seems will lead to revision of the Academic Articles. The committee will meet twice before the April meeting to

discuss how SPF are elected to the Senate, and develop a statement. The issue melds into larger issues of the purview, charge, etc. of the Faculty Senate. The committee solicits assistance from other members of the Senate; any can join the discussion. Will try to produce something for the April meeting.

c. Benefits: Nasir Ghiaseddin:

The committee met with Human Resources (HR) on February 10, and focused on questions related to the Affordable Care Act; the committee is gearing up to see what will come down and work accordingly. Other issues: all faculty should have received the IRS Form 1095-C, "Employer-Provided Health Insurance Offer and Coverage". If one is receiving any subsidies for health care, one must file this information with the IRS. HR is planning to have a University health program to increase the health of faculty and staff, and to help faculty and staff deal with the various emotional, environmental, social, and physical factors that affect overall health.

Q: Can you elaborate on subsidies with respect to Form 1095-C?

A: If one receives a subsidy for health care, one must submit Form 1095 to the IRS with one's tax return. Otherwise one need only state that one has health care from a provider. We will have more information on this when we know what will happen with the health care law.

d. Student affairs: John Gaski

The committee has learned of one new issue, the prospective re-purposing of Rolfs as a varsity facility, which the committee will look into. Prof. Gaski then offered the following resolution as a motion: "Be it resolved that the Faculty Senate should commend and thank the University Committee on the Evaluation of Teaching." The motion was seconded by Chuck Dittbenner, and approved by acclamation.

4. New business (JRS):

a. Will have the election of officers at the April meeting, which is required by the bylaws. JRS is currently in her 2<sup>nd</sup> year as chair and will not run for re-election, but will continue to represent her department. Need a slate of five officers: chair, vice-chair, treasurer, two co-secretaries. JRS asked for volunteers to serve on the nominating committee: David Galvin, Matthew Capdevielle, and Nasir Ghiaseddin volunteered. JRS gave them their charge, to develop a slate of five names.

b. JRS introduced the new administrative assistant for the Senate: Lauren Fiedler.

c. JRS: Jack Swarbrick, Director of Athletics, will be a guest at the April meeting, has 30 minutes. JRS will solicit potential questions ahead of the meeting via e-mail, and develop a list of topics and concerns. Scheduling and space could be one topic.

5. Guest: Provost Tom Burish (TB)

TB received a list of questions from JRS that senators had submitted; he also had issues to discuss, and noted that three of these topics overlapped. He decided to begin with these three, and then address other questions, and then some initiatives that are in the nascent stage and still under discussion.

Three faculty committees have been working on important topics, and their reports will guide behavior for several years to come.

1. The Ad hoc Committee on the Evaluation of Teaching. JRS already answered some of the questions on this topic. This was one of the hardest working committees and dealt with a very sensitive topic. TB has seen several drafts of their report, which is a superb document, and looked

broadly at the literature. Not all will agree. Five committees have looked at this over the last 15 years. The previous committee determined that the Teaching and Course Evaluation (TCE) was not an ideal instrument, and created the Course Instructor Feedback (CIF), to be evaluated after data could be collected. The current committee has evaluated this data. JRS announced when it would be made public. Next steps: the draft report has next steps, including when to implement changes. TB hopes this will take place next year; the limiting factor is that much of the CIF has to be reprogrammed by OIT, and TB doesn't know how long this will take, but will give OIT funds if needed.

Implementation: CIF committee has recommended another ad hoc committee for implementation. The CIF committee will have intense conversations with faculty and Faculty Senate, hold town halls, etc. Will rewrite the report in May based on feedback and submit a final report to TB for approval; he hopes for general agreement so the recommendations can be implemented. Will have period in which faculty can still disagree. Must move fairly quickly to be able to implement changes in fall.

JRS: Would like to commend Prof. Sarah Mustillo (Sociology), who did a statistical analysis of all CIF data points, which was a huge job.

NG: Will the changes be internally implemented by OIT?

TB: Yes, OIT does this every year; creates the form.

JRS: The committee had been concerned about serious push-back, and has been astonished that this has not materialized.

## 2. Transition Committee on the Core Curriculum

Tasked with implementing the move from the old to the new core curriculum. Also, doing a terrific job. Also, the Core Curriculum Committee worked very hard for several years.

With respect to the question of when the recommendations will be implemented, TB met with Michael Hildreth, chair of the committee; the latter feels that the target date of Fall 2018 is aggressive but doable. The committee will work in the summer to meet this deadline, and aim to be ready for registration in spring 2018. Courses must be developed and proposed so that they may be listed for registration. Now are addressing technical and policy issues, some of which need approval of Faculty Senate and Academic Council. Timeline will vary. Particularly important are modifications to the Academic Articles describing the Core Curriculum; this will be discussed in May by Academic Council, and will be sent to Faculty Senate before this. JRS should get together with Mike Hildreth on this.

On the question of how the recommendations will be resourced, TB doesn't know the answer to this yet, as there haven't been any specific requests made. Predicts will need (1) money for course development; (2) additional faculty support in some areas offering courses for the first time (for example, the Student Senate has asked Computer Science to offer Introduction to Programming for non-majors, and the department would need help with this); and (3) one department says it needs 25 faculty if one particular change is put into place; if true, we may have to get to same end another way, over time, that is economic.

## 3. Ad hoc Committee on Faculty Governance

As this committee has had no interaction with the provost's office, TB sent the questions to Judy Fox (chair of committee). TB added that in his view, this is one of the most important committees on campus; he recommended that it be constituted for 2 reasons: (1) the strongest universities have the strongest systems of governance; (2) when he came to ND from the outside, he found the governance system here odd and misunderstood, and that many people questioned its effectiveness. It is not viewed as strong as the University itself.

From Judy Fox (JF):

Question on when the committee's report or recommendations be complete? JF hopes by the end of this semester. The only thing left now is a survey of faculty, which she hopes will be distributed the

week after break; it was planned for January, but complications ensued.

Question on next steps: JF hope that the recommendations will be included in the revision of the Academic Articles; hopes for discussion and feedback if not accepted. The committee has not yet reached a consensus yet.

JRS (to TB): When you asked to have the committee formed, what problem was it formed to address?

TB: Did not identify specific problems, but asked the committee to look at faculty governance in general, is it understood, etc. He had the sense that people wondered if the Faculty Senate is effective, and wondered what was its purpose; most universities do not have an Academic Council. He did not know if faculty felt they participated adequately in faculty governance. Must be interactive with the administration to be effective. A process that is fair and transparent is important.

TB: Question on the revision of the Academic Articles - my letter of today (circulated to faculty via e-mail) answered those questions.

TB: Question on the Idea Center and the new Vice President and Associate Provost for Innovation, Bryan Ritchie.

TB: Why did we create this position? If ND is to be a force for good in world, when faculty or alumni create something that can help the world, we need to take it to the world. We were not doing this, and did not have a mechanism for it. This includes social programs, etc. One example: ND had a technology transfer office that was not meeting faculty needs, had little money to help faculty with business plans, models, etc. Created Innovation Park, now adding a second building. With respect to the new Idea Center, the University needed a strong leader who had done this many times and understood university culture. Convened a search committee of 12-15 members, all from outside the university; this committee submitted a report with 23-24 recommendations: start with a leader, create an Idea Center (Innovation, Discovery, Enterprise, Acceleration). In the search, Bryan Ritchie was the number one choice, had been a tenured full professor at Michigan State, then went into the entrepreneurial world and started companies; knows both worlds. In February, he began at Notre Dame on a part-time basis, and will be full-time in the fall.

TB: Question - what are expectations of the Idea Center?

TB: Will create a system, process to help faculty, students, alumni and friends of ND determine whether their intellectual property is commercializable, and if so, how to do it. Brian Ritchie has developed a set of five steps to reveal whether the property will be commercializable, and finds funds to prove each step. Looking for whatever is the appropriate end to have impact on the world. He has a model for faculty to be involved with this process, or not involved (it is their choice). Then he looks for resources to help faculty, must raise \$250,000 to \$500,000 per year; these funds need to come as gifts as these are the riskiest dollars.

Question: How will the Idea Center interface with individual professors and departments?

TB: In two ways; faculty may take the lead and make an appointment to see someone if they have a project, would like to apply for patent, etc. But Dr. Ritchie is also thinking of hiring people to walk halls and have look at projects, see what faculty are doing, suggest the potential for commercialization, etc. In other words, wants to do more active mining or prospecting around the University. In this his office takes lead; both ways have to work. The office has been budgeted to break even. Some universities look upon these as centers of profit, but ND is not planning on this, sees it as a break-even operation. Robert Bernhard (Vice President for Research) might get half a million to a million in revenue each year. Will also have additional rent from the second building at Innovation Park. Bryan Ritchie is happy to meet with anyone, including the Faculty Senate, departments, etc. at any time.

Question from the floor: Will the Idea Center interface with students?

TB: Yes, his office will help faculty with instruction on entrepreneurship, president of the student senate ran on a five-point platform including this. Richard Gray (chair of Art, Art History, and Design) is working on a minor in this area, as are other institutes and departments. Brian Ritchie will try to help, networking with alumni, etc.

JRS: For faculty in the sciences, the relationship is obvious. What is the relevance to faculty in Arts & Letters?

TB: Engineering has the most intellectual property that goes to market, then business, science, then other departments. Intellectual property is intended to make money. But social entrepreneurship is also very important at ND. A design professor created a washing machine costing \$5 that would revolutionize the way women wash clothes in third-world countries. Such a product won't make money. Another example: Corey Robinson (PLS major and member of the football team) started a company focused on giving student athletes' clothes (worn once or twice) to kids, use this to build relationships with them, encourage them to go to college. Went to the Robinson Center; first the ACC adopted this as a policy, then the NCAA also.

Question from the floor?: The Office of Technology Transfer is currently in the Office of Research; will this change?

TB: Yes, it will go over to the Idea Center.

Campus Crossroads Project (TB turned to John Affleck-Graves, Executive Vice President, for help answering the questions).

Question: When will the departments actually move in?

TB: Still working on the exteriors; should finish some interiors by mid-July, with move-in after Aug 1; the move-in to some other spaces at Christmas break. Anthropology, Music, and Sacred Music will move in in December 2017, psychology in 2018. ND is currently competing for workers with a casino under construction in the area, must pay extra to get workers, but the project is still on schedule.

Question: Now there will be two O'Neill halls on campus; will this cause confusion?

TB: Thinks not; one is a dorm, other is the Music building.

Question: Is there a plan for vacated space?

TB: For the most part, not at this time. The Department of Applied and Computational Mathematics and Statistics (ACMS) will move into Crowley; a committee has been formed to receive requests for vacated space, but has received none so far.

Question: Are there funds to help renovate vacated spaces?

TB: Right now the college pays for renovation, if desired. The University also has some money available.

Question: Are there new programs associated with the Crossroads project?

TB: For the most part, programs are expansions of existing programs, have claimed they can do new things in the new space. Two exceptions: digital media center is new; also, Sacred Music at Notre Dame had no space of its own.

Question (late submission): A Master of Science in patent law was started a few years ago, then put on hiatus; why go through a long approval process and then let it be suspended by three administrators?

TB (did not like the tone and manner of question): Here are the facts: three deans (Law, Science and Engineering) did market research which suggested that the degree program would be successful and would not take resources. We ran the program for two or three years, and it lost a lot of money. We

did more market research, including asking law firms, and saw no sign that the program would make money or break even. A decision was then made to end the program.

JRS: Do you think with the presence of the Idea Center and more effective interfaces with faculty that the idea may bubble up again for a master program in patent law?

TB: Doesn't think so; is there a need and can we fulfill that need? Situation may change over time.

JRS: Are professional master's programs subject to periodic review?

TB: Yes, to see that they are paying for themselves, filling intended niche, etc.

Once he had finished addressing the submitted questions, Provost Burish spoke about several other initiatives that might be of interest to the Senate; he pointed out that none of these may happen.

1. Inspired Leadership Institute: Harvard, Stanford, and some other universities have developed programs for people in retirement, one year, pay tuition, can audit any classes that interest them; also include lectures for the group and sessions in which members tell their own stories; wonders if Notre Dame should have such a program, could focus on spirituality. Connections of these people could open doors for faculty. A group has visited Stanford to look at the program there, and will also visit Harvard. Notre Dame's goal would be to break even. One senator pointed out that a related issue to address is incentivizing retirement; faculty often keep teaching into their mid-70s; more might be willing to retire earlier if they didn't feel cut off entirely from the university – would like to have contact, teach courses for freshmen, etc. He mentioned the Henry Koerner Center for Emeritus Faculty at Yale as another model.

2. Veterans' Initiatives: TB feels that Notre Dame should do more for veterans than it currently does; has welcomed the military and ROTC to campus. Has already agreed to do one thing: the Warrior-Scholar project devised by veterans – help those leaving the military back into university, a one-week program. A dozen universities now run such programs. Program costs about \$25,000 annually. Major Regan Jones will run the program. Brady Quinn, former Notre Dame quarterback, recently pledged \$100,000 to fund the program for four years. Currently Notre Dame has 40 veterans in the Mendoza College of Business who are on financial aid, which is a good start; also 12-15 in the Law School. Could recruit more, and will raise money for financial aid.

3. New endowment to support new endowed chairs: anonymous donors have pledged a gift of 50 million dollars; 42.5 million of which has already been received, the interest from which will fund new endowed chairs each year. The major donors wish to remain anonymous, and wish the chairs to be named for individuals who have never been adequately thanked for their contributions to Notre Dame. Will also support mission and minority hires. Will take five or more years to build up, and will take decades to become really big. Department chairs have been apprised of this fund, should let TB know when they have "stars" that they would like to hire.

Question from the floor: Could you talk about what you would like us to aim for with respect to diversity and Catholic hires?

TB: We now have great support for diversity hires all the way up to the trustees, but we can be more successful than in the past. One problem is that the pool is very small in some disciplines, and thus universities end up stealing faculty from each other. As a goal, department agreed on a target: the median of the actual number in AAUP; will aim for the middle. TB has resources to help departments; will pay salary for five years if a department finds a candidate and has no funds. Currently is paying out several million each year in such bridge payments. TB will also pay the

difference in salary if a department searches for an assistant professor but finds a qualified diversity candidate at a higher rank; will also pay up to 5 years. Suggests searching with rank open to help find such candidates. The deans have submitted diversity hiring plans so that we can measure annual success. TB is also open to other suggestions. Suggested that chairs ask their faculty to create wish lists, such as “10 women we would like to have on our faculty,” and work from there.

Motion to adjourn made by Phil Sloane, seconded by Tarek Dika, all in favor; meeting adjourned at 7:46 p.m.

Respectfully submitted,

Mary E. Frandsen, Co-Secretary  
Senator from Music

**Minutes of the Notre Dame Faculty Senate  
4 April 2017**

**Signed in as Present:**

Adam Martin, Anna Simon, Annie Coleman, Ben Heller, Ben Radcliff, Dan Johnson, David Galvin, Guangjian Zhang, Hai Lin, Hannelore Weber, Jeanne, Romero-Severson, John Gaski, Mary Frandsen, Matthew Capdevielle, Meng Wang, Michael Hemler, Nasir Ghiaseddin, Paul McGinn, Richard Pierce, Samir Younés, Sylwia Ptasinska, Xiaoshan Yang, Tarek Dika

**Not Signed in as Present:**

Aaron Striegel, Beyerlein Kraig, Bridgette Drummond, Byung-Joo Lee, Chao-Shin Liu, Chuck Dittbenner, Daniel Hopkinson, David Thomas, Dominic Chaloner, Marie Halvorsen-Ganepola, Howard Lanser, Joe Urbany, Marsha Stevenson, Matt Bloom, Natalie Porter, \*Philip Sloan, Randy Kozel, Shauna Williams

**Excused:**

Bruce Huber

\*Present but did not sign the attendance sheet

1. Faculty Senate chair Jeanne Romero-Severson (JRS) opened the meeting at 6:05 p.m. and offered the Opening Prayer.
2. Minutes of 7 March meeting  
Several amendments and corrections were made. Hannelore Weber moved to accept the minutes as amended; John Gaski seconded. The motion carried.
3. Committee reports
  - a. Academic Affairs (JRS): heard from two guests:
    - I. Angie Appleby Purcell, Human Resources. Exploration of Continuing Education. Adult continuing education concept, two-week summer programs, engaging and interesting, Academic Affairs committee received favorably, is a concept at the moment, Notre Dame has not decided yet. If interested in participating contact Angie Appleby directly. Non-degree program, directed at our alumni and perhaps the region within a fifty-mile radius of Notre Dame. Nasir Ghiaseddin mentioned that the Student Affairs Committee of Student Government discussed whether students who did not finish their degrees could come back and finish, and have earlier credits counted toward the degree.
    - II. Patricia Clark, Professor of Chemistry and Biochemistry and Chemical and Biomolecular Engineering. Prof. Clark discussed the proposed Ph.D. program in Biophysics with the committee. The program will involve the several departments in the College of Science, and not an ordinary interdisciplinary program, as it involves the creation of an interdisciplinary curriculum with three areas of specialization. The proposal is well thought out and has been circulated to relevant faculties; it will soon be circulated to Biology. The Academic Affairs Committee gave the proposal a favorable review, and hopes that Academic Council will consider it this year. Q: masters no PhD Biophysics. JRS: the program is already a need; Notre Dame is losing recruits because we have no program in Biophysics, unlike our aspirational peers. Mary Ann McDowell (MAM) added that five graduate teaching assistantships and other stipends have been contributed by the departments to the program, and Notre Dame has

received a gift of ten million dollars to help recruit faculty in Biophysics.

b. Administrative Affairs (Dan Johnson):

The committee has prepared a Statement Regarding SPF Representation in Senate. (See handout). Committee met, corresponded by e-mail also, heard from SPF individually and as a committee body, many viewpoints, issues brought to Administrative Affairs, some conflicting desires with respect to SPF representation in Faculty Senate. Any change requires changes to both the Faculty Senate bylaws and the Academic Articles. Can now offer a statement and items to pursue next year. The statement includes three recommendations:

1. Open departmental representation to associate and full SPFs, and by a petition process to assistant SPFs.
2. Increase SPF senators to five and encourage their election from a variety of schools, colleges, programs, institutes, and centers.
3. Add one senator from First Year of Studies.

The committee would also like to encourage a careful review of overall representative balance among departments and faculty groups. For example, research faculty, another non-tenure-eligible body, are granted only 1 senator, which seems disproportionate to their number (63 as of 2015) [from the statement].

JRS pointed out that the *ad hoc* committee to review the Academic Articles has not yet been constituted. MAM added that the Senate should indicate to that committee (once constituted) that this is what the Senate wants; the Academic Council will accept this as the will of the Senate. Dan Johnson: the Ad Hoc Committee on Faculty Governance chaired by Judy Fox (Law School) will produce a report next year; the statement of the Administrative Affairs committee could be used by that committee. JRS added that she would like to see the statement sent on, but was unsure of next step given that no ad hoc committee has yet been established for the revision of the Academic Articles. If senators agree with the statement, she would like the Administrative Affairs committee to draft the same as a resolution for consideration by the Senate. John Gaski suggested that the momentum be slowed down; he pointed out that over the long term there has been an inordinate amount of attention to SPF issues in the Faculty Senate, and suggested that if the Senate adopted all three items in the statement, it could be overwhelmed with SPF matters. He favored proceeding incrementally when the time comes to finalize the Senate's position; he suggested selecting the most popular among the three recommendations and adopting that, and then moving to another if the first does not work. JRS pointed out that SPF issues keep arising as they are not addressed. David Galvin pointed out that 27% of the faculty are SPF, and that we have the imprimatur to develop a proposal for the May meeting. JRS indicated that senators should send feedback to Dan Johnson.

c. Benefits (Nasir Ghiaseddin): Various groups have been happy with the work of the Benefits committee. Things go smoothly with Benefits as the committee meets with HR on a monthly basis and is involved in the process. He suggested that Benefits use this same model and request regular meetings with Executive Vice President John Affleck-Graves (JAG) to discuss sources of discontent or things related to parking, construction, budgeting, etc. that people hear about or read in the *South Bend Tribune* and get upset about. Benefits could learn about these issues from JAG and bring them back to the Senate for reaction; this way, things might go more smoothly. Nasir thinks JAG would be willing to meet with the committee; JRS also thought he would be very

receptive; she added that this approach may take more time but is useful and gets things done.

d. Student Affairs (John Gaski): no meeting.

4. ACC Scholar vote:

JRS reminded senators of the names of the four candidates: Kelsey Johnson Keith Bybee, Stephan Duma, and Neil Johnson. The candidate selected must have a sponsoring department; the Provost's office supplies a budget of \$2500.00 for the visit; the ACC scholar gives a talk, meets with students and faculty, etc.

Vote:

Kelsey Johnson, Associate Professor of Astronomy, University of Virginia: 1

Keith Bybee, Professor of Law and Political Science, Syracuse University: 5

Stefan Duma, Professor of Biomedical Engineering and Mechanics, Virginia Tech: 6

Neil F. Johnson, Professor of Physics, University of Miami: 9 [winner]

JRS asked if the Physics Department was willing to host Prof. Johnson; the senator from Physics thought so.

5. Election of Officers: postponed, slate not yet filled.

6. Guest: Jack Swarbrick, Director of Athletics.

Mr. Swarbrick opened by addressing the role of the association that governs college athletics and our relationship with it. Today the NCAA voted again to allow North Carolina to host NCAA championships, and the ACC followed suit. The legislation in question (H. B. 2, the Bathroom Bill) was repealed and changed, and the NCAA reluctantly changed its policy. Last night North Carolina won the championship, in the midst of a major investigation: 17 years of bogus courses in one department in the university. Courses were designed and implemented without any athletic involvement. Student athletes constituted 52% of the population in the courses; the NCAA investigation lasted over two years. His reason for raising both issues: what is this association to be? What do we want it to be? Swarbrick spoke at a forum on the North Carolina issue in Washington, D.C.; thought it strange that a major academic scandal emerges and is only adjudicated by an athletics association. Many important issues have been addressed through the NCAA. Fr. Jenkins discussed the issue in an editorial in the *Wall Street Journal*: should we allow an athletics association to play that role for us? The role played by the NCAA is growing relative to colleges and universities in the USA. Swarbrick feels the NCAA should focus more on the intended mission of athletics, but in the absence of other responsible bodies, the NCAA has also taken on this role. We will continue to run up against this; what if the next issue is capital punishment, or something that faith-based institutions believe in and others do not? He is not sure that the NCAA has articulated when it will act, and what the standards are. The scope and role of the NCAA were at the core of ND's decision to appeal the NCAA decision of academic misconduct [ruling of 22 November 2016] and the imposition of sanctions: the NCAA interfered with and put itself in the place of the University and its honor code. The NCAA ruling says that if Notre Dame had removed students from the University, then there would have been no sanctions, but since the honor code dictated another path, ND would be sanctioned. The nature of violation was that we certified someone as eligible whom we later found was not eligible. We looked at the situation and assigned a new grade. Some institutions have a six-month statute of limitations on honor code decisions. The Honor Code should not be designed for the interaction with an athletics association. The broader issue is, what do we want this association to do? It continues to play a larger and larger role in matters that extend beyond athletics.

Mr. Swarbrick (JS) then took questions from senators:

JRS: How do other ACC institutions deal with the question of a six-month sunset clause for the honor code?

JS: Some have changed their policies because of our case, which is troubling B they seek to avoid this consequence. Some will, some won't revisit the issuance of degrees (which affects graduation success rate, etc..

Q: Who determines the rules of the NCAA?

JS: The board of governors, which comprises university presidents. Chair of the NCAA Council is a director of athletics, currently Blake James of the University of Miami. Legislation comes to the council (65 members in the 5 power conferences), decisions are made at meetings of the governing council.

MAM: What went into the decision when we switched to the ACC?

JS: The window to make the decision turned out to be about 10 days, but we could see it coming. Many offices of the University were involved. The main considerations were these: 1. Cultural fit: the ACC would better serve the interests of ND because of the number of members who were private schools B Duke, Wake Forest, etc. 2. Geography: there was greater proximity among the Big 10 institutions; better markets for ND in the ACC. 3. Educational dynamic: the Big 10 Academic Consortium was a big plus. We explored whether anybody could give tangible assistance to AAU membership. The other main factor: maintaining football independence. There was a great complication with the Big 10: members are now also equity owners of a very successful broadcast network, the Big 10 Broadcast Network.

Q: Back to NCAA involvement in political issues: you seem to be intimating that that this is not their business, is a slippery slope, from the North Carolina law to others. Does this take into account that the NCAA is a huge business that makes and spends a lot of money, and has an impact by withdrawing? It can exercise power that way, and make its desires known. It is also sensitive to money B a lack of support will translate into a loss of money. How does one take into account that the NCAA is a big business, and is not quite the same as other college organizations (like Mock Trial, for example)?

JS: Agreed that this is a source of leverage. Made two points, aspects with which he has discomfort. 1. Has there been a conscious decision that this leverage is what we as members want? 2. What are the principles that will cause us to act? These have not been articulated B have not established the standards that will cause us to act independently of any particular situation (he would like NCAA to do this). There has been lobbying to prevent BYU from joining the Big 12 due to its Mormonism. JS wonders whether the next version of this might be, given the Catholic view on reproductive rights, that 1<sup>st</sup> or 2<sup>nd</sup> round NCAA competitions cannot be held on Catholic campuses?

JRS (asked a question for a member who could not attend the meeting): The football schedule has an impact on the availability of meeting rooms, etc.; issues of conflicts with the football schedule can also arise in conference planning. When are the football schedules set? It would be useful for faculty to know the schedule as soon as it is set.

JS: I have a great incentive to release the schedule B for promoting the games, booking hotel rooms, etc. Has released the schedule through 2019, and had trouble getting that far out, as elements change and unravel the schedule. Wants to get to contracts with these games, not just verbal agreements; agreed that the schedule hasn't been out far enough ahead. Is optimistic that he can get the schedule for the next three years out by end of this year, then the schedule for five years.

MAM: asked about the television contract; the money coming in helps the university.

JS: NBC agreement, which is unique, was struck more than 20 years ago.

Every year this puts four million dollars into undergraduate financial aid; this past fall the contributions surpassed 100 million. all. Now we are creating the ACC network, like the Big 10 and other networks. If it performs well, we will have more opportunity to support the University

financially; will also benefit FTT and other depts, as we will have to produce much of the content. Is most proud of Fighting Irish Media, has led to the building of the Digital Media Center on the east side of the stadium

MAM: Whose idea was the Campus Crossroads project?

JS: I was responsible for this. Was troubled after a few seasons that ND had the second lowest home field advantage of 100+ teams. in all of Division I football. After every game, the opposing athletic director would say Awe love playing here. Started by thinking: how can I enhance the home field advantage? Looked at data and studied the history; looked at historic photos of the stadium, aerial photos of opening day in 1930, first football game in the stadium, which was built way off campus, relatively speaking. Issue had nothing to do with home field advantage: how can you take the most valuable piece of real estate on campus and use it just seven times a year? More students walk past the stadium than any other place on campus. Was a real estate issue, needed a solution to use this space. Other universities have made the decision to rebuild their stadia off campus. Question became: what use can our stadium have that would turn it into a year-long facility, not one used just seven times a year? Worked with an architect who proposed the initial design. Then had to decide what was the best use for the facilities. For those opposed to the project: the stadium allowed us to attract donations that would have been much harder to attract otherwise, and thus accelerated those projects.

Q: A few years ago, Fr. Jenkins was quoted in the *New York Times* concerning the issue of college labor and the amount of money brought in, and said if it ever became the case that ND football was more about making money... Where are we now with that?

JS: Fr. Jenkins is not prepared to change the relationship between student athletes and the University, wants a student/educator relationship and not an employer/employee relationship. Many universities feel that athletics would continue to be robust under that model. We changed rules so students could get the cost of attendance; previously had said that athletes could not receive the total cost of attendance as part of their athletic scholarships. Will examine benefits issues like that, and can do this without changing the relationship. Thinks the NCAA is better off if the foundational question is this: if we are drawing a distinction between an athlete and a non-athlete, can we articulate that distinction, and does it make sense? Let's be sure when we draw distinctions that they make sense.

Q: Who was that architect [with whom JS spoke about the stadium project]?

JS: Bill Brown of .... did the Indianapolis museum of Art, also at the University of Michigan. [Mr Swarbrick could not remember the name of the firm.]

7. Presentation by members of the Ad hoc Committee on the Evaluation of Teaching: Co-chairs James Brockmole (Associate Professor of Psychology and Associate Dean for the Social Sciences and Research) and Mark Gunty (Undergraduate Analytics Program Director, Office of Strategic Planning; Concurrent Assistant Professor of Sociology); Sarah Mustillo (Professor of Sociology and Department Chair); Jim Frabutt (Senior Adviser to the Provost), JRS (Professor of Biological Sciences and Faculty Senate Chair).

Prof. Brockmole started with a Power Point presentation, and talked about the interim report of the committee. In 2015, Provost Burish looked at two facts: (1) the CIF (Course Instructor Feedback) was implemented 2008, provides student perceptions of teaching; (2) 2009: ACPET (Ad hoc Committee on the Evaluation of Teaching) guidelines were implemented in 2009. The Provost thought the time had come to look back at these to make sure they still represented best practices. The process began 18 months ago. After the first year, some membership on the committee changed. The committee wanted to be well informed: conducted surveys of faculty, department chairs, students, met with Student Government, Dean's Council; also OIT and the Office of Strategic Planning and Institutional Research (OSPIR) (for technological implications)

The interim report contains three major sections: (1) Holistic and Comprehensive review of teaching [table in report], measurement (ACPET, etc.); (2) CIF [in table in report]: how to collect, how to use/disseminate? (3) Awareness, Monitoring & Implementation

Prof. Brockmole highlighted the large conclusions of the committee.

The ACPET guidelines are actually very good. These continue to represent best practices, are holistic and comprehensive, etc. Are we balancing these ways of evaluation in the best way? Is there too much emphasis on the student CIF, and if so, why? Standard instrument that measures all classes, etc. Other aspects: peer evaluation, class design, etc. Classes are very different, harder to do. Think about ways to draw the difficulty down, make it easier to engage with these issues. In self reflection and peer evaluation, the discernment value goes down. These rarely talk about weaknesses and problems. To improve this, suggest dividing the professional statement (for promotion to tenure) into three separate statements, on research, teaching, and service. Suggest templates to be used in peer evaluation to hit both highs and lows. Recommend that evaluations should happen more often, should be discussed all the time.

The CIF: here the committee thought about whether we should collect data from students. Most thought we should, as they are the consumers, and should have something to tell us. How to limit potential misinterpretations? Recommend strengthening other areas, and improving the CIF: get rid of deciles. Instead, set standards that everyone can achieve. Understand the context better: why are they giving the scores they give us? Should look at the comments. Currently access to these is limited to the instructor; committee recommends allowing chairs and deans see these as well. Also some things to simplify CIF, improvements to reporting, improve reliability and validity of feedback (honor code out etc.)

Changes implemented need to be sustained: recommend the establishment of an implementation committee.

The floor was then opened for questions:

MAM: the Faculty Senate passed a resolution thanking the committee for its work.

Q (Anne Coleman): What were the ways in which the committee discussed the variety of pedagogies across disciplines? These differ even in departments in the humanities. How did the committee deal with this?

A: The Committee recognized that ways of teaching are quite different. Asked whether the CIF should be same for all class types. Thought that the same questions could apply in some way to each discipline (thus did not recommend different CIFs for different class types). Favored the approach of using questions that can apply in all cases. All can be tailored. Peer observation: examples from other universities. Not one set of questions for the entire university, will not fit all (here should be tailored). Gunty: looking for the best way to make the CIF fit better; should include learning goals and additional questions, which are underused. These should be part of what the CAP sees. University tier (top 10 questions): could not find examples of classes where these did not apply. Also asked whether we should have external evaluations of teaching, and felt these would probably not be so useful.

Q (Ben Heller): 1. Under self reflection: should this happen after every semester? How to read CIFs? How to change practices to make CIFs reflect what you want B how would they deal with this? 2. Correlation between difficulty and time spent and higher evaluations (over 4.0).

A. 1. This should be rephrased in the final report: ongoing self-evaluation, every year, especially

junior faculty. 2. On course difficulty: the often told story is that one receives poor CIFs because the course is too hard. In actuality, far and away the biggest predictor of high CIFs is the intellectual challenge of the course B the greater the challenge, the better the CIFs. Look at what students tell us with respect to disproportionality, effort- in vs gain-out; when they are given a lot of work and cannot appreciate the reason why or see the goal, they judge professors negatively. Professors need to make sure the work is commensurate with the gain the students will get derive from it.

Q (Richard Pierce): explanation for no. 2 (table on biases: you admit there is bias in the CIFs. Why not spell it out B there is race and gender bias? I note that there was no racial minority representation on the CIF committee. How can this bias be addressed in order to make the CIF a valid structural device?

A: (explained the chart, +/- probability one will receive 4.0). Took all classes together, looked at what the probability is of getting 4.0; looked at the size of the class, gender, race, etc. of faculty (see table). Sarah Musillo: race is the biggest factor in the probability of getting 4.0-5.0. The average score for African-American faculty members is 7% lower (see table). Also slightly lower for women than men. Hard part of the interpretation: these are averages. Can=t say that any participating faculty member experienced bias.

Q (Richard Pierce): with respect to the qualitative part (comments); these comments won=t help; a negative perception will be felt in each.

A: analogous to the administration of a new cancer drug, not all will live 5 years longer, etc. Can=t predict for one person. Look at doctor=s notes, can see context.

Q: in recommendations is there a suggestion of how administrators should look at the qualitative comments? Does the committee have advice for administration on how to evaluate these comments? The College of Science has asked whether there was qualitative data mining. Look for things in the comments. Should go back to the committee on this.

A (again on Richard Pierce=s question): if we know these differences exist, what can we do about it?

Richard Pierce: the CIF was supposed to correct this.

A: We can identify differences, but can=t always know why these differences exist. Was the group just not as good, or was there bias against a particular group? Sarah Mustillo: how do we tease out what is bias? Is there bias against older faculty, or are faculty getting lazy as they get older? (Another committee member): hard to say what is a true bias. On the whole the biggest effects on the CIFs that we see are the course characteristics. Departments should have faculty teach different types of courses, including upper division.

Q: have you done the same evaluation at the college or department level? Do you get the same numbers:

A: Engineering has the biggest difference, science not as great.

Q: technical question, on predictors used.

A: Controlling for everything, these factors interact. Did look at combinations, but became unwieldy, so we did not include these results in the report.

Q (John Gaski): I hope the committee heard about two resolutions from the Faculty Senate commending its work? Wondered if they saw the literature on intellectual challenge that suggests that this is an impediment, that material learned more easily is retained the best. Inversely related to characteristics the CIF is trying to measure.

A: This assumes that the style of teaching is completely conflated with intellectual challenge, not sure this is the case. Students see it as good teaching when they perceive that they are being pushed forward. If they work hard and do not see commensurate gains, the faculty member will be hit in the CIF. Students do not have the experience, knowledge, life outside of college, etc. When

learning goals are not articulated well and students feel lost in wilderness, this is reflected in the CIF scores.

Q: 1. I am hesitant to trust the comments, as bias is unconscious; 2. If you can't rule out student bias as the reason for -7 under African American, you could logically say you can't trust the instrument at all for that category of instructor.

A: I don't think that is the case; we can see issues with the measurement and still use it. The vast majority of faculty are in the 4+ area.

Q: When a chair has CIF reports and sees African American faculty regularly ranked -7 compared to others, even without deciles, the instrument is not valid for them.

A: We are trying to get away from using the CIF as *the* way to evaluate teaching, and use it instead as one way. We need good quality information on teaching ability outside of the CIF, using other metrics. This will help us to understand the CIF numbers in context.

JRS: We spent many meetings discussing Sarah Mustillo's numbers and what to do about these with respect to this instrument. They are averages, and don't apply to individuals. We must add context. The ACPET guidelines come into play. If the CIF is the be-all and end all, looking at red/green arrows in deciles, there you'll be hurt the most. Is very difficult. To simply add the numbers (such as -7 for African American faculty) is not a good, fair answer to the problem.

Q: I was suggesting that we not use the CIF for some categories of people. Perhaps the report can be written to draw attention to these issues.

A: We will be getting much more feedback; this is an interim report.

Phil Sloan moved that the meeting be adjourned; the motion was seconded by [don't have].

JRS adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Mary E. Frandsen, Co-Secretary  
Senator from Music