

Faculty Senate Meeting  
Wednesday, September 3, 2008  
MINUTES

**Members Present:** William Berry, Seth Brown, J. Randy Crist, Antonio Delgado, Debra Desrochers, Morten Eskildsen, Judy Fox, John Gaski, Nasir Ghiaseddin, Bernd Goehring, Thomas Gresik, John Griffin, Alan Johnson, Maxwell Johnson, Jessica Kayongo, David Klein, David Ladouceur, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Sarah McKibben, Joyelle McSweeney, Carolyn Nordstrom, Dianne Pinderhughes, Claudia Polini, Linda Przybyszewski, Robin Rhodes, J. Keith Rigby, Juan Rivera, Salma Saddawi, Robert Schulz, Caitlyn Shea, D. Katherine Spiess, John Stamper, Mark Suckow, Anthony Trozzolo, Julian Velasco, Joseph Venturini.

**Members Excused:** Michael Brownstein, Kwan Kim, Daniel Lapsley, Collin Meissner, Catherine Perry, Vikas Tomar.

**Members Absent:** Oliver Collins, Susan Youens.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Electrical Engineering; Film, Television, & Theatre; Philosophy.

Chair Thomas Gresik called the meeting to order at 7pm and introduced Joyce Zurawski, the new administrative assistant for Faculty Senate. John Stamper offered an opening prayer.

**Organizational issues:**

Please email Joyce at [facsen@nd.edu](mailto:facsen@nd.edu) if you will not be present at a meeting. Sign in sheets will be available at the beginning of every meeting along with printed minutes and an agenda. The minutes from the May 7, 2008 meeting of the Senate were approved.

The Faculty Senate Office has now moved to 445 Flanner Hall. Joyce will be available in the office each afternoon beginning 1 week before the start of the academic year.

**Memorial resolution:**

A Memorial Resolution was offered to recognize members of the faculty who passed away during the last academic year including: John Tougas Croteau, Economics; The Reverend Arthur S. Harvey, C.S.C., Film, Television, and Theatre; Theodore B. Ivanus, Political Science; Howard Saz, Biological Sciences; Paul P. Weinstein, Biological Sciences; and James Ricker Wilson, Physics. Fr. Paul Kollman, C.S.C. offered a prayer for the deceased faculty members and the resolution was accepted by acclamation.

**Chair's report: (Gresik)**

Gresik thanked recent past chairs, Seth Brown and Collin Jessop for their leadership in dealing with difficult issues such academic freedom, revision of the Academic Articles, and Catholic hiring. During this year's Reunion, Gresik participated in a panel discussion on Catholic hiring, sponsored by the Class of '52 and The Sycamore Project. In his comments, he emphasized the strong faculty support for the Catholic mission of the University, but also strong concern about the use of numerical targets.

Faculty Senate Meeting  
Wednesday, September 3, 2008  
MINUTES

Gresik also met during the summer with Provost Burish to discuss several issues including implementation of CROCF strategies and the new CIF (Course Instructor Feedback) evaluations. He stated that both President Jenkins and Provost Burish value the opinions of the Faculty Senate and that the Senate has been effective in influencing how both men have thought about important University issues. At the start of the academic year, Gresik co-authored a welcome letter with Provost Burish to communicate the role of the Senate to the faculty community. The committees of the Senate will take on several important topics again this year and the Senate is positioned to make significant accomplishments.

**Student Financial Aid: (Joseph Russo, Director, Student Financial Services)**

The past Chair of the Student Affairs Committee, Tom Noble, invited Joe Russo to the Senate. The goal was to communicate to the faculty how student financial need was being met, in particular, in light of public announcements about financial aid by several peer institutions.

The current estimated cost of an academic year at Notre Dame is \$49,030: \$36,850 tuition and fees, \$9830 room and board, \$950 supplies, \$900 personal expenses, and \$500 transportation. The cost has increased by 74% since 1999, while the growth in resources for financial aid has increased 220% over the same time period.

The scholarship endowment has increased from \$31 million in 1980 to \$1348 million in 2007. Need-based financial aid granted by the University has grown from \$5 million in 1990 to \$76 million estimated for 2009. Some of the additional funds have come from growth in the financial aid endowment, and some from unrestricted gifts. The University would like to increase the endowment fund with a goal of funding 80% of financial aid from the endowment. This helps reduce "tuition discounting" which produces a cost to the University, and ultimately increases tuition rates for others.

The University has a need-blind admissions policy, while many other private, selective universities do not. (This is not entirely true for international students because of immigration restrictions.) The goal is to make Notre Dame affordable for those students who are admitted. This begins with student contributions through loans and work study. The University has also been generous in the way it factors in outside scholarships, reducing student contributions (loan and work study) first, rather than University scholarships. In addition, Alumni Clubs support scholarships totaling \$2.6 million, which support over 1200 students nationally.

In 1996, 31% of students received a University scholarship, with an average award of \$8,316 per student. By 1999, this increased to 40% of students with a \$10,656 average award, and in 2007, 43% of student received an average award of \$20,930. In this same time period, admissions selectivity increased to 24%, and the yield of accepted student who enroll is 57%.

Faculty Senate Meeting  
Wednesday, September 3, 2008  
MINUTES

In January 2008, Senators Grassley and Baucus sent a questionnaire to many universities with substantial endowments to enquire about their tuition and financial aid policies. A complete response by the University can be found at:

[http://search.nd.edu/search?q=cache:2qyzL\\_kTYd0J:president.nd.edu/speeches-and-publications/documents/NotreDameSenateFinance.pdf+notredamesenatefinance&access=p&output=xml\\_no\\_dtd&ie=UTF-8&client=default\\_frontend&site=default\\_collection&proxystylesheet=default\\_frontend&oe=UTF-8](http://search.nd.edu/search?q=cache:2qyzL_kTYd0J:president.nd.edu/speeches-and-publications/documents/NotreDameSenateFinance.pdf+notredamesenatefinance&access=p&output=xml_no_dtd&ie=UTF-8&client=default_frontend&site=default_collection&proxystylesheet=default_frontend&oe=UTF-8)

In the last few years, several high profile schools such as Princeton, Harvard, Yale and Stanford have committed that they would eliminate all loans for students below a specified family income. Notre Dame has communicated its own financial aid policies, but has not made a similar public announcement. Setting a strict income limit can be difficult, because family income can be manipulated on IRS returns and market fluctuations can change the amount of aid available in a year. Policies and other information can be found at: <http://Financialaid.nd.edu>

Julian Velasco asked what Notre Dame considers “needy”. Russo responded that family incomes less than \$60,000 are considered needy. The bottom 25% of families who receive aid have family incomes that are below \$75,000, and the middle 50% of families are in the \$75,000-150,000 range. Bob Schulz asked when financial aid package decisions are made, and Russo indicated that they are made between the acceptance and decision deadline for enrollment.

Antonio Delgado asked what percentage of students take out loans. Russo explained that 40% of students take out loans, and the average need-based debt at the end of four years is \$18,000-20,000, and this does not yet reflect the more aggressive financial aid policies implemented over the last few years. Students can also take out additional discretionary loans, and when these loans are considered, the average student debt is \$23,000-24,000. The University has been able to arrange very competitive packages with lenders because of the strong repayment history of graduates.

Diane Pinderhughes asked how the University considered diversity in admissions. Russo responded that students are asked to self-identify on the application, and noted that Notre Dame’s diversity index increases if socioeconomic diversity is considered in addition to racial diversity. William Berry asked whether the University would consider merit-based aid. Russo indicated that this was unlikely for now, since it is difficult to draw the line for selective admits and such scholarships would come at the expense of need-based scholarships. It might be possible if a large donor would support such a program. Kristin Lewis asked what is driving increases in tuition in general. Increased salary compensation, utility costs, growth in technology (both to remain competitive and in compliance), amenities, government regulation (Higher Education Act), and tuition discounting have all contributed to the increase in tuition. The Grassley-Baucus Act would generate a “shame list” for the top 5 schools with the greatest increases in tuition.

Faculty Senate Meeting  
Wednesday, September 3, 2008  
MINUTES

**Standing Committee Meetings and Elections:**

The Senate broke into standing Committee meetings, and reconvened for reports from each Committee.

Kristin Lewis was elected Chair of the Student Affairs Committee by acclamation, and will resign as Senate Co-Secretary. Michael Brownstein was elected by acclamation to the Bookstore Advisory Committee, and Jessica Kayongo to the Traffic Appeals Committee. A representative to the Campus Life Council was not appointed, and the decision has been deferred.

Academic Affairs: Julian Velasco reported that his group will investigate grade inflation, student behavior, and the new TCEs process.

Administrative Affairs: Seth Brown reported that this Committee will examine changes in the appeals process, including that of non-TR faculty, implementation of CROCF, and differential teaching loads assignments. He suggested that the Committee may invite Fr. Bob Sullivan to a meeting later this semester.

Benefits: Nasir Ghiaseddin reported that they will continue to discuss compensation issues with Chris Maziar and will invite her to a future meeting to discuss progress. Denise Murphy will attend the next meeting of the Senate to discuss health benefits, as well as service issues with HR.

Student Affairs: Kristin Lewis reported that her group will investigate issues of graduate student support and student behavior and culture.

**Other Business:**

As Chair of Faculty Senate, Gresik will be meeting with members of the Board of Trustees, and invited any suggestions of issues to bring before the Board. Keith Rigby suggested the compensation issue, and other members extended that to include the cost of immigration fees for international faculty. Other members suggested that the University complete an integrated review of faculty responsibilities outside of teaching and research (committees, etc.) and look for ways to make faculty time more focused on productive activities.

The meeting adjourned at 9:15 pm.

Faculty Senate Meeting  
Tuesday, October 7, 2008  
MINUTES

**Members Present:** William Berry, Seth Brown, Michael Brownstein, Antonio Delgado, Debra Desrochers, Kevin Dreyer, Morten Eskildsen, Judy Fox, John Gaski, Nasir Ghiaseddin, Bernd Goehring, Thomas Gresik, John Griffin, Alan Johnson, Jessica Kayongo, Kwan Kim, David Klein, David Ladouceur, J. Parker Ladwig, Kristin Lewis, Carolyn Nordstrom, Catherine Perry, Claudia Polini, Linda Przybyszewski, Robin Rhodes, J. Keith Rigby, Juan Rivera, Caitlyn Shea, D. Katherine Spiess, John Stamper, Vikas Tomar, Anthony Trozzolo, Julian Velasco, Joseph Venturini.

**Members Excused:** J. Randy Crist, Maxwell Johnson, Anita McChesney, Sarah McKibben, Collin Meissner, Dianne Pinderhughes, Salma Saddawi, Robert Schulz, Mark Suckow.

**Members Absent:** Oliver Collins, Yih-Fang Huang, Anita Kelly, Joyelle McSweeney, Susan Youens.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 7pm. Claudia Polini offered the opening prayer.

**1. Chair report (Gresik)**

Tom conveyed the wonderful news that Randy Crist was excused from the meeting due to the recent birth of his son. Congratulations!

The executive committee met with the Provost, and discussed the agenda items the Senate expects to take up this year.

Post tenure reviews are being discussed by Academic Council this year, and how this should affect raises, promotions, etc.

Tom Gresik gave a report to the Board of Trustees. They expressed a strong interest in the Senate activities and the issues being discussed. Tom highlighted that salary levels are a major concern among the faculty. The Board also expressed strong support for departments that have developed strong mentoring programs.

Gresik alerted the Senate to the following upcoming issues, which will all be raised the upcoming year:

1. Fr. Jenkins has requested the Senate response to initiatives aimed at improving women and diversity hiring.
2. The appeals process proposed in the revision of the Academic Articles was split off to be considered as a separate issue by the Board of Trustees. An initial proposal should be coming to the Senate soon.

Faculty Senate Meeting  
Tuesday, October 7, 2008  
MINUTES

3. Concerning the tenure and promotion process, it would be desirable to implement a policy of openness, alerting candidates on the progress of their cases.

Gresik encouraged the Senators to start considering these questions.

Rigby: How can a policy of openness be consistent with maintaining confidentiality in tenure and promotion cases?

Gresik: It should be possible to inform candidates of intermediate decisions made during the year (e.g. CAP and dean recommendations) without violating confidentiality promises.

**2. Presentation of 2009 benefit options (Denise Murphy)**

Before her presentation Denise Murphy handed out the “Benefit Summary Information” which will be circulated with the open enrollment this fall. All information presented by Denise was included in the handout.

Denise especially emphasized the reductions in health care premiums for most programs next year. These were due to lower incurred costs, which could possibly be attributed to the “healthy campus” strategy initiated 2 years ago. This includes health screenings, incentives to participate in the Health Quotient survey, wellness initiatives and fitness partnering with RecSports.

New this year is also the replacement of the usual health care vendor fair by a two-day health and wellness event.

Polini: Why is the health and wellness fair scheduled during fall break when many faculty are traveling?

Murphy: First, it was a question of when the facility (Rolf's Sports Recreation Center) was available. Second, the fair has traditionally not been well attended by faculty, but primarily by staff.

Fox: Will health screenings only be available during the two-day event?

Murphy: No, screenings are available on many days and not only during fall break.

Berry: What is enrollment period for retirees?

Murphy: This is not decided yet.

Griffin: What happens to health care flexible spending accounts if you leave the university?

Murphy: You can get reimbursed for expenses incurred during the period you were employed by the university. The expenses can be submitted after you leave.

Faculty Senate Meeting  
Tuesday, October 7, 2008  
MINUTES

Senator: Must we redo health screening and fill out Health Quotient survey again to get discount on next year's health care premiums?

Murphy: Yes.

Senator: What is the difference between Delta Premier and Delta Preferred?

Murphy: The difference is in the coverage.

### **3. Election of Senate representatives to Campus Life Council (Gresik)**

Gresik informed the Senate that Lt. Col. J. Randy Christ had agreed to be nominated for the position on the Campus Life Council. The nomination was seconded and Randy was elected by acclamation.

The Senate broke into standing Committee meetings, and reconvened for reports from each Committee.

### **4. Reports from committees (Velasco, Brown, Lewis)**

Academic Affairs: The committee will address issues of student comportment/honesty/cheating, grade inflation and on-line replacement for the TCE's (CIF).

Administrative Affairs: This committee will seek to address the following issues this year: Changes to the appeals process in tenure decisions, implementation of the CROCF initiatives, and hiring and retention of women and minorities.

Student Affairs: The committee will discuss graduate student compensation and benefits, student behavior/culture, and absence policies.

### **5. Report on Faculty Salaries (Ghiaseddin)**

Ghiaseddin handed out a summary of the faculty salary development at Notre Dame during the last 8 years. Among 27 peers ND is ranked 21, with no progress made over the last several years to improve that ranking. At present the average salary increase is below inflation. Two years ago the administration stated that increases were kept modest to that they could be continued even if the economic situation should take a downturn. Now we will find out if they will live up to this promise.

Senator: Is it possible to add median salaries to the table? The average may be skewed by a few well paid faculty members.

Klein: It is not even clear if the reported numbers are averages or medians. There is no agreed standard for how these numbers are reported. In the case of full professors, this category includes chaired professors.

Lewis: Could non-tenure track faculty be added to the table?

Faculty Senate Meeting  
Tuesday, October 7, 2008  
MINUTES

Ghiaseddin: We can ask Chris Maziar to see if SPF salaries track T&R-faculty salaries.

Senator: Are we legally allowed to tell what our salary is?

Ghiaseddin: This is allowed but we can not compel people to disclose their salary.

Berry: With the increasing cost of college education, what is the fraction of the tuition used for salaries?

Ghiaseddin: This was described in recently released report. All in all this is difficult to answer, since the university gives a lot of financial aid which reduces effective tuition. This was discussed at previous senate meeting by the Director of Student Financial Services, Joseph Russo.

**6. Election of co-secretary (Gresik)**

Claudia Polini was nominated to be a co-secretary. Her nomination was seconded and approved by acclamation.

Tom Gresik adjourned the meeting.

Faculty Senate Meeting  
Wednesday, November 5, 2008  
MINUTES

**Members Present:** William Berry, Seth Brown, Michael Brownstein, J. Randy Crist, Antonio Delgado, Morten Eskildsen, John Gaski, Nasir Ghiaseddin, Bernd Goehring, Thomas Gresik, Yih-Fang Huang, Alan Johnson, Maxwell Johnson, Jessica Kayongo, David Ladouceur, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Sarah McKibben, Joyelle McSweeney, Carolyn Nordstrom, Catherine Perry, Dianne Pinderhughes, Claudia Polini, J. Keith Rigby, Salma Saddawi, Robert Schulz, Caitlyn Shea, D. Katherine Spiess, Mark Suckow, Anthony Trozzolo, Julian Velasco, Joseph Venturini.

**Members Excused:** Debra Desrochers, Kevin Dreyer, Judy Fox, Kwan Kim, David Klein, Collin Meissner, Linda Przybyszewski, John Stamper, Vikas Tomar, Susan Youens.

**Members Absent:** Oliver Collins, John Griffin, Anita Kelly, Robin Rhodes, Juan Rivera.

**Departments without a Senator:** Chemical and Biomolecular Engineering; Computer Science and Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 7pm. We started introducing each other.

**Opening Prayer:** David Ladouceur offered an opening prayer.

**Chair Report:** Tom Gresik told us that Judy Fox could not come to the meeting but she wanted us to remember about the Food Drive. Above all in these difficult economic times, our help is much needed.

Gresik reported to the Senate to the following issues:

1. **Forum:** Fr. Jenkins has requested Senate feedback about to the Forum. Gresik needs our feedback by the end of the week. He already received several responses but by the end of the week he has to turn in his report to Fr. Jenkins. Any positive or negative comments, or any proposed changes should be submitted to him by e-mail before the end of this week.
2. **Safety, Security, and Hospitality Committee:** This committee has been established to investigate the safety issue during Football weekends. Gresik will be available to the committee (representing the Faculty Senate) when interviews are conducted. When the report from this committee is ready, an ad hoc committee from the Senate will examine the report and write a response to it. Any volunteers for this committee should talk with Gresik.
3. **Proposal on Appeals and Reappointment/Tenure/Promotion Process:** The appeals process proposed in the revision of the Academic Articles was split off to be considered as a separate issue by the Board of Trustees. The initial proposal on Appeals and on the Reappointment/Tenure/Promotion Process will be explained to us today by Seth Brown. Tonight we have three guests from the Working Group (composed of faculty and administrators) that has been developing the proposal. They came to help walk the Senate

through the proposal and to answer questions. It is important to provide feedback because the Academic Affairs committee has to meet next month and write a response to this proposal. After that, at the December meeting, Seth Brown will present back to us the response of the Senate. The meeting of the Academic Affairs committee will be open to all senators.

**4. Women and Minorities Faculty Report:** Because of the urgency of the response to the Proposal on Appeals and the Reappointment/Tenure/Promotion Process, we cannot discuss the Women and Minorities Faculty Report tonight. Fr. Jenkins has indicated that he is okay with waiting until January for the Senate response to the Women and Minorities Faculty Reports. To meet this timeline, Gresik has scheduled another meeting of the Senate on Tuesday, November 18 from 4-6pm. In preparation for this meeting, Gresik asked Senators to investigate current options for women and minority training programs in their disciplines. He described one such program in Economics as an example. He thinks that these kinds of programs could enhance the visibility of ND and would also promote women and minorities and give a signal to the broader academic community that ND is serious about hiring women and minorities. In our response to the President, we could add these kinds of examples as additional programs for the President to consider. Gresik encouraged the Senators to start investigating these and other possible initiatives. One senator replied that these are very expensive programs for the university and they also entail a huge commitment from the existing faculty at ND. Gresik replied that the faculty should be compensated for the extra work and that this is only an idea the Senate could include in its recommendations.

### **Discussion of the Reappointment/Tenure/Promotion review and appeals processes**

(a) **Presentation by Seth Brown:** Seth Brown presented the proposal of the working group. The main problems with the current appeal process are three:

1. **Timing:** It takes a long time for the appeal process to finish and the faculty member has to look for another job in case the appeal is denied;
2. **A Tainted Process:** Once the committee has decided that indeed a procedural error was committed, the case has to be reprocessed. However, the same committee that had previously judged the case is going to judge it again and usually (in ND history 100% of the case) the outcome is still negative;
3. **Late Appeals Date:** Currently, a candidate receives no information until May. This means that most appeals are not considered until the fall semester.

The Working Group proposal addresses these problems in several ways:

- 1) Allow cases with 2 or 3 negative recommendations by the CAP, the department, and/or the dean to be terminated before PAC review.
- 2) The dean could notify each candidate of the disposition of his or her candidacy after the dean's recommendation is finalized. In the case a candidacy is terminated, an appeal could be filed immediately.

3) An expedited appeals process that contains provisions to avoid double jeopardy concerns.

(b) **Senate Discussion:** The discussion focused on the following main issues:

1. **Time Line:** In the proposed time line only 30 days are given to the candidate to appeal. Many senators thought that this is unfair and one should not give a strict deadline to the candidate. Jill Bodensteiner, University Counsel, explained that the new process would provide some simple forms the candidate could use to initiate an appeal. In any case, even with more time, the candidate is not going to know what went wrong because of the opacity of the promotion process. Some senators argued that it is in the interest of the faculty to have a timelier process so we should not impose any deadline on when the appeal has to be filed. Bodensteiner explained that even with the current process there is a deadline for filing the appeal and it is October 1. Even for a lawsuit there is a federal deadline of 300 days. One senator asked if a candidate can sue the university even if he has not appealed and she answered that this is possible. Few institutions do not allow it but ND does not have such provision.

2. **When to Stop the Case:** The main question being: When is a case dead? Given ND history, the Working Group recommends terminating a case if there are two negative recommendations among the CAP, the department chair, and the dean. Many Senators argued that only three negative recommendations should terminate a case. Brown pointed out that a disadvantage of the “three-no” option is that it might make any appeal on a “two-no” case less likely to succeed. One senator proposed to consult the candidate and let him or her decide. No decision was reached.

**Adjournment:** The meeting adjourned at 9:00 pm.

Faculty Senate Meeting  
Tuesday, November 18, 2008  
MINUTES

**Members Present:** Seth Brown, Michael Brownstein, Tam Chantem (for Caitlyn Shea), J. Randy Crist, Antonio Delgado, Debra Desrochers, Kevin Dreyer, Judy Fox, John Gaski, Bernd Goehring, Thomas Gresik, John Griffin, Yih-Fang Huang, Jessica Kayongo, Anita Kelly, David Klein, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Sarah McKibben, Joyelle McSweeney, Catherine Perry, Dianne Pinderhughes, Claudia Polini, Robin Rhodes, J. Keith Rigby, Robert Schulz, D. Katherine Spiess, John Stamper, Mark Suckow, Anthony Trozzolo, Julian Velasco, Joseph Venturini, Susan Youens.

**Members Excused:** William Berry, Morten Eskildsen, Alan Johnson, Maxwell Johnson, David Ladouceur, Carolyn Nordstrom, Linda Przybyszewski, Juan Rivera, Salma Saddawi, Vikas Tomar.

**Members Absent:** Oliver Collins, Nasir Ghiaseddin, Kwan Kim, Collin Meissner.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 4pm. We started by introducing each other.

**Opening Prayer:** Joseph Venturini, Undergraduate Student representative, offered an opening prayer.

**Chair Report:** Tom Gresik reminded us that the purpose of today's Senate meeting is to learn more about the two reports on women and minority faculty hiring and retention. For this reason Susan Ohmer and Hugh Page were invited to today's Senate meeting to present and explain the two reports, and to answer questions. After today's presentation and Senate discussion, a subcommittee composed of Julian Velasco, Anita Kelly, Dianne Pinderhughes, John Griffin, and Linda Przybyszewski will draft a response. In January, at the first Senate meeting of the Spring semester, we will revisit the issue and we will vote on the Senate response drafted by the subcommittee. After that, Tom Gresik will communicate our response to the President.

**Discussion of the reports on women faculty hiring and retention:**

(a) Presentation by Susan Ohmer

(b) Senate discussion. The comments and questions/answers of the Senators are below:

Griffin: From the data, is it clear for which reasons there are fewer women at the associate and full professor level than our peers? Because it seems that are several reasons for which this could happen: with due time the number will go up (since we have many women at the assistant professor level), they do not get tenure, they leave (willingly) before tenure, or they leave before being promoted to full.

Answer: No; it is not clear, but we did not want to delay the report and ask for more data because there is clearly a problem and we wanted to address the problem ASAP.

Senator: Can't we get the data to understand if women are not promoted?

Answer: No; the Provost Office does not want to share this kind of information, but the data we have seems to suggest a retention problem. We feel that the main issues are child care and spousal hiring.

McKibben: The problem with exit interviews is that they aren't always accurate. Also many faculty members decide not to have an exit interview.

Answer: This is an issue we have considered. We propose to mandate them.

Senator: The problem is also with who a faculty member would like to have an exit interview. Maybe if you want to mandate them we should give an option of having the interview at the college level or at the campus level.

Answer: The Senate could play an important role asking for the Office of Diversity. This Office could take care of this as well as insure that the problem is always considered as well as monitored.

Senator: One problem with the report is that it is missing a professional analysis of the data. Just reading the data is not enough. We need professionals to interpret them. For example, the growth in the number of women at the assistant professor level is concentrated in the time period when the College of Arts and Letters had done massive hiring.

Answer: This is something that we have asked to be done in the report. Again we felt the urgency to push the issue forward and we did not want to wait for an analysis of the data or for new data. The comparison with AUU Private shows already that we have a problem.

Brown: Does ND have a culture hostile to women? This issue does not seem to be addressed in the report.

Answer: We did address it through many interviews and we propose a survey of the women faculty. This is included in our search for more data.

Lewis: Does this data also include SPF?

Answer: No; only T&R.

Rigby: A non-vested party is needed for exit interviews.

Rigby: How big is the gap in the comparative data in terms of numbers and not percentages?

Answer: We do not have that information.

Pinderhughes: Did you collect data about endowed chairs?

Answer: No; we did not distinguish between full professor and endowed chair.

Senator: Did you collect any data concerning salaries?

Answer: We did not ask for this.

Senator: A problem is that service is not rewarded enough.

Answer: We address this issue in the report.

Gaski: What about comparison with other universities (not just AAU privates) that are in a similar location as ND?

Answer: We encourage this kind of analysis, but it has not been done yet.

Huang: Are the incentives to hire women and minority faculty that Nathan Hatch put in place still available?

Answer: No.

### **Discussion of the reports on minority faculty hiring and retention:**

(a) Presentation by Hugh Page

(b) Senate discussion: The comments and questions/answers of the Senators are below:

Pinderhughes: Can we break out the data by rank and year as in the reports on women faculty?

Answer: We do not have that data.

Senator: We would like to see more data like comparison with all AUU, not only Highly Inspirational Peers.

Answer: This was the only data given to us.

Delgado: How do you really count people?

Answer: Self identification.

Delgado: Is a native of Spain considered Hispanic?

Answer: It is not clear.

Senator: Is it legal to ask about race in the hiring process?

Answer: No; a form is sent to the candidate. He is free to fill it out and send it back. It will NOT be included in the file. The office for equal opportunities will file the data.

Senator: What if we tell a candidate that it is in their interest to volunteer the information if they are minorities?

Answer: It is not good practice.

Gresik: Both reports have done a wonderful job in advocating better quality of life for faculty and this affects everybody, not only minorities.

Goehring: How many students of color do we have?

Answer: This data is collected by another committee.

Fox: Minority faculty members tend to be assigned to many committees at the expense of research time, the same as for women. Shouldn't service be rewarded better?

Answer: This is definitely an important point.

McKibben: Especially for junior faculty members, they should be sheltered.

Delgado: How do we compete with Chicago? Why would a minority scholar choose ND? How can we affectively sell South Bend? and the University?

Answer: We tell them that if you join the University now, you can be part of an extraordinary change.

McKibben: Are minority professors treated with respect by the students?

Answer: We consider the problem of hostility in the classroom.

Senator: No training is better than BAD training.

Senator: It would be useful to see the data over time. Also, why is there no data before 1996?

Answer: It was not given to us.

Senator: We should train the administration as well. Sometimes the following statement is made: Because ND is Catholic, we do not need to worry about race and gender.

Griffin: Where do we come short? Are we not able to attract scholars of color? We interview them, but they decide not to join? They join and they leave? Or we do not give them tenure? Or they leave because we do not promote them to full?

Answer: The rate of success is measured by the people you invite, who decide to come, and then stay. For example, we have invited 40 Erskine Fellows and only one accepted a full-time offer and then left after one year. Another issue is that we have only 4 full professors and they all come from outside so it seems that we do not promote our own assistant professors.

Rigby: Are you concerned that the Catholic hiring is a negative influence on the issue of hiring minorities?

Answer: No; there are 1.8 million Catholic African Americans. The problem is to go and get them.

Rigby: How do you do that?

Answer: That is a hard question. We also need to train the next generation. We need to nurture black catholic scholars.

Adjournment: The meeting adjourned at 6:10 pm.

Faculty Senate Meeting  
Wednesday, December 2, 2008  
MINUTES

**Members Present:** William Berry, Seth Brown, Antonio Delgado, Kevin Dreyer, Morten Eskildsen, Judy Fox, John Gaski, Nasir Ghiaseddin, Bernd Goehring, Thomas Gresik, Alan Johnson, Maxwell Johnson, Jessica Kayongo, Anita Kelly, Kwan Kim, David Klein, David Ladouceur, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Dianne Pinderhughes, Claudia Polini, Robin Rhodes, Salma Saddawi, Caitlyn Shea, John Stamper, Vikas Tomar, Anthony Trozzolo, Joseph Venturini, Susan Youens.

**Members Excused:** Michael Brownstein, J. Randy Crist, Debra Desrochers, John Griffin, Yih-Fang Huang, Joyelle McSweeney, Carolyn Nordstrom, Catherine Perry, Linda Przybyszewski, J. Keith Rigby, Juan Rivera, D. Katherine Spiess, Mark Suckow, Julian Velasco.

**Members Absent:** Oliver Collins, Sarah McKibben, Collin Meissner, Robert Schulz.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 7:05pm. After the customary round of introductions the opening prayer was offered by Kristin Lewis.

**Chairs Report (Tom Gresik)**

Tom started by offering his best wishes for the upcoming holidays and also thanked the Senators for attending the special session on woman and minority issues. He then introduced the main topic for this meeting, which is the proposed revisions to the academic articles concerning the tenure and promotion process. He reminded the senators that the objective is to enhance the procedural fairness for the candidates by ensuring transparency, a timely and more effective appeals process and improved case management.

**Student Affairs Committee Report (Kristin Lewis)**

Committee is considering how to approach the issue of student behavior, and absences for interviews etc. (the latter at the request of the Student Senate).

**Benefits Committee (Nasir Ghiaseddin)**

The two main points to be addressed by this committee are faculty salaries and meeting with Meritain to discuss in particular issues related to the coverage of retirees. With respect to the first point the committee is to meet with Tom Burish and Chris Maziar, and will raise the question of when salaries can be expected to be brought up to the declared goal (median of AAU). A senator asked whether the change to the tuition benefit for new faculty is a “done deal”. Ghiaseddin answered that this is now official policy, and that the motivation was to reduce pressure to admit faculty/staff children, and to provide equal benefits to children who attend to ND or other schools.

## **Administrative Affairs Committee (Seth Brown)**

Proposed changes to the Academic Article concerning the Appeals and Tenure process were reviewed. Four specific points were discussed:

1. Procedure for terminating cases at the level of the Dean.
2. Informing candidates of the results of votes.
3. Institutional information flow in the case of early termination cases.
4. Treatment of new factual information in the current academic year.

All items relate to a single paragraph in Article III, Section 4 of the Academic Articles (“Procedure for Appointment, Reappointment, Promotion and Tenure”). A complete description of the proposals and the changes approved as described below, can be found on the Faculty Senate website in the Documents > Motions > Appeals and Tenure Process section.

### *Discussion of proposal 1*

The senate discussed the proposed changes. One senator asked what constitutes a procedural error, which with the proposed revisions may cause an appeal of the case before it reaches the PAC. An example of this would be a case which is terminated at the Dean’s level, but may be poorly prepared due to a department not following its own procedures. The concern was raised, that cases where the Chair and CAP is positive but the Dean is negative, will be presented to the PAC by the Dean. It was decided that since proposal 1 is intimately related to proposal 2, this proposal be temporarily tabled to allow discussion of proposal 2.

### *Discussion of proposal 2*

The senate discussed the proposed changes, and in particular what detail of information (breakdown of votes) should be released to candidates, both in cases terminated at the Dean’s level as well as cases forwarded to the PAC. The debated reflected the difficult balance between keeping the candidates well informed of the progress of the case, and potential collegial problems in cases where, for example, the CAP is split but the tenure case is successful. An amendment was proposed whereby the candidate is informed of the votes (chair, CAP, Dean), both in cases where case is terminated at the Dean’s level and cases which proceed to the PAC. This amendment was approved. With the amendment the entire proposal was approved.

### *Resumed discussion of proposal 1*

The senate further discussed proposal 1 at great length. Among further concerns raised was whether revised procedures would cause PAC to reject cases which would previously have been successful. If weak cases were eliminated at the Dean’s level, PAC may feel inclined to further reject cases, to avoid feeling like a rubber stamp. Brown said the provost is aware of this, and this should be addressed in the PAC procedures. An amendment was made and seconded to include language whereby a candidate could appeal a case at the Dean’s level even though it would be sufficiently positive to go forward, if the Dean’s recommendation was negative. After debate, this amendment was defeated.

After discussion the proposal was approved.

### *Discussion of proposal 3*

After a short discussion proposal 3 was approved.

### *Discussion of proposal 4*

After a short discussion proposal 4 was approved.

After discussion and votes on the four proposals, the specific proposed paragraph of the Academic Articles, as approved by the Faculty Senate, reads as follows:

“Reappointments, promotions, and awards of tenure for the teaching and research faculty are made by the President. A faculty member under consideration for reappointment, promotion, or tenure is notified by the chairperson in advance of the evaluation process and submits a statement and evidence on the faculty member’s own behalf for use in the evaluation process. The chairperson of the department submits a written recommendation, along with a written report approved by the CAP of its deliberations and recommendations, to the Dean, who then evaluates the candidacy. If the Dean anticipates disagreeing with the recommendation of either a CAP or a departmental chairperson, the Dean meets with the CAP and the chairperson jointly to discuss the case before concluding his or her evaluation. The Dean informs each candidate in January of the recommendations of the Dean, the CAP, and the department chair. If the recommendation of (1) the Dean and (2) the CAP and/or departmental chairperson are negative, the Dean meets with the candidate and provides written notice to him or her that the decision concerning reappointment, promotion, or tenure is negative and that the candidacy is terminated. The candidate may, within 15 days of notification of an adverse decision by the Dean, request in writing that the Dean allow the case to continue to the Provost notwithstanding the negative recommendation. In requesting such continued consideration, the candidate waives his or her rights to appeal the case based on improprieties at the departmental or college level. Absent such a request from the candidate, the Dean informs the Provost in writing of the termination, but does not forward to the Provost any of the materials provided by the candidate or any of the evaluations prepared by CAP, the chairperson, or the Dean, or records of meetings between the Dean and the CAP and chairperson. These materials should be retained by the Dean for at least three years following termination of the candidacy.

If the recommendation of the Dean, or of both the CAP and departmental chairperson are positive, the Dean informs the candidate that his or her candidacy is proceeding to the Provost and forwards all recommendations to the Provost, including a written personal recommendation, along with the results of any meeting between the Dean, the CAP, and the departmental chairperson. All candidates whose candidacy is progressing to the Provost may, within 15 days of their meeting with the Dean, supplement their initial statement with any new factual information that was unavailable at the time that they originally prepared their statement.”

Tom Gresik adjourned the meeting at 9:16pm.

Faculty Senate Meeting  
Tuesday, January 13, 2009  
MINUTES

**Members Present:** William Berry, Seth Brown, J. Randy Crist, Antonio Delgado, Debra Desrochers, Morten Eskildsen, Hugh Fogarty, John Gaski, Nasir Ghiaseddin, Thomas Gresik, John Griffin, Yih-Fang Huang, Maxwell Johnson, David Klein, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Carolyn Nordstrom, Catherine Perry, Dianne Pinderhughes, Linda Przybyszewski, J. Keith Rigby, Salma Saddawi, Caitlyn Shea, John Stamper, Mark Suckow, Vikas Tomar, Julian Velasco, Joseph Venturini.

**Members Excused:** Michael Brownstein, Kevin Dreyer, Bernd Goehring, Jessica Kayongo, Anita Kelly, Kwan Kim, David Ladouceur, Joyelle McSweeney, Claudia Polini, Robert Schulz, Anthony Trozzolo.

**Members Absent:** Oliver Collins, Judy Fox, Alan Johnson, Collin Meissner, Robin Rhodes, Juan Rivera, D. Katherine Spiess, Susan Youens.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order. After the customary round of introductions the opening prayer was offered by Catherine Perry.

**Chairs Report (Tom Gresik)**

Tom Gresik outlined the agenda for the meeting, with the main topic being the discussion of the Senate response to the University reports on Women and Minority Faculty.

In addition Tom wanted to highlight the following coming activities:

- Tom will address the Faculty Affairs subcommittee of the Board of Trustees on 2/5. His main emphasis will be on the revisions of the tenure and appeals process in the academic articles, and the outcome of this meeting concerning the reports on Women Faculty and Minorities.
- The Senate will be asked to comment on the ECDC evaluation report and provide recommendations.
- The Faculty Senate has received a request from the Student Senate to support their resolution asking for clarification on the University's policy regarding absences for interviews.

**Administrative Affairs Committee (Seth Brown)**

The Working Group appointed by the Provost to propose changes to the academic articles concerning the appeals and tenure processes, have discussed the changes proposed and approved by the Senate in the 12/2/08 meeting. Seth Brown reported on the Working Group reaction to the proposed changes:

1. Informing the candidates of votes: This was accepted with the modification that only candidates who receive unfavorable decisions on tenure, promotion, or reappointment.
2. Procedure for termination at the Dean's level: No other members of the Working Group supported the Senate's proposal that candidates could choose to have their cases considered by PAC even after a negative decision at the collegiate level. The Working Group was split over the preferred procedure, with a plurality favoring the option where a

negative decision by the Dean and by either the departmental chair or the CAP would result in early termination of the case.

3. Information flow: The first part of the proposal (notification of the Provost of cases terminated at a Dean's level) was approved. With regards to retention of records, the General Counsel wished to formulate a general policy, not to have this particular case enshrined in the Academic Articles.
4. New factual information: The Working Group deemed that a provision for allowing new factual information be added to a case does not belong in the Academic Articles but in the PAC working guidelines.

The final recommendations by the Working Group have now been made available to the entire faculty, with an open comment extending until 1/26/2009. Seth Brown strongly encouraged the Senators and the faculty in general to submit their comments.

### **Student Affairs Committee Report (Kristin Lewis)**

Kristin Lewis thanked the senators who had already responded to the survey concerning student absences for interviews, and reminded those who had not already done so to please submit them. She stressed that the Student Senate is not asking for an official policy, but for faculty members to show consideration for the importance that such interviews hold to for the students. A full discussion of this issue will be scheduled for a future senate meeting.

### **Benefits Committee (Nasir Ghiaseddin)**

Meetings with HR and Meritain concerning benefits for retirees are ongoing. A meeting with Chris Maziar to discuss salaries has been requested.

### **Academic Affairs Committee Report (Julian Velasco)**

No new business to report.

### **Senate response to the reports on woman and minority faculty (Julian Velasco)**

The draft response had been distributed to the Senators prior to the meeting. Julian Velasco began by thanking the members who served with him on the ad hoc committee charged with preparing the Senate's initial recommendation: John Griffin, Anita Kelly, Dianne Pinderhughes, and Linda Przybyszewski. He then gave a brief review of the draft response to the reports prepared by the "University Committee on Women Faculty and Students" and the "University Committee on Cultural Diversity".

Before the discussion of the individual recommendations there was a brief round of general comments. It was suggested that it should be made explicit in the response where the recommendations were copied directly from the reports, and where the response proposed something new or in contrast to the reports.

#### *Discussion of Recommendation 1*

It was emphasized that once the analysis of hiring and retention data is complete, the results should be made available to the faculty. An amendment to the recommendation to this effect was proposed and approved. It was also discussed whether the recommendation should be specific about what data should be made available. The feeling was that the Senate is not in a position to specify how the University committees should work. After further discussion recommendation 1 was approved with the following wording:

**Recommendation 1.** The Faculty Senate recommends that the University make available to the Committee on Women Faculty and Students and the Committee on Cultural

Diversity the additional information they request regarding the recruitment and retention of women and minority faculty, respectively. Given legitimate privacy concerns, such information should not include identifying data. The Faculty Senate further recommends that these University Committees continue their studies to determine problem areas and, if possible, to develop further solutions targeted to the specific problems identified. The Faculty Senate further recommends that the analyses of these University Committees be made available to the University community.

*Discussion of Recommendation 2*

A motion was made and approved to separate the recommendation into two separate recommendations. After discussion recommendation 2a was accepted and recommendation 2b was defeated. The final wording of recommendation 2 reads:

**Recommendation 2.** The Faculty Senate recommends that, after a proximate period of analysis (preferably within the next academic year), the University move to establish a hiring plan to target women and minorities at all ranks.

*Discussion of Recommendation 3*

After a short discussion this recommendation was approved as proposed:

**Recommendation 3.** The Faculty Senate recommends that the University create additional dissertation and postdoctoral fellowships for women and minority candidates.

*Discussion of Recommendation 4*

After discussion this recommendation was approved as proposed:

**Recommendation 4.** The Faculty Senate recommends that the University implement formal systems of surveying faculty professional satisfaction, of conducting exit interviews, and of monitoring the results over time. The Faculty Senate offers to assist the University in the development and regular implementation of such systems.

*Discussion of Recommendation 5*

An amendment to replace the term “best practices” with “most effective means” was proposed but defeated. After further discussion the following recommendation was approved:

**Recommendation 5.** The Faculty Senate recommends that the University identify best practices for mentoring assistant and associate faculty and promote their implementation in all departments.

*Discussion of Recommendation 6*

This recommendation was discussed at length. The main concern raised was whether the proposed Office of Diversity would replicate other efforts, and whether it would add another administrative office to consume resources without providing much benefit. After discussion the recommendation was defeated. The following senators requested to have their vote in favor of the recommendation noted: Max Johnson, Dianne Pinderhughes, Catherine Perry, David Klein, John Griffin, William Berry and Linda Przbyszewski.

*Discussion of Recommendation 7*

After a short discussion this recommendation was approved as proposed:

**Recommendation 7.** The Faculty Senate recommends that the University enhance its efforts with respect to spousal hiring and otherwise assisting current and prospective faculty members to locate employment for their spouses.

After the discussion of the individual recommendations the entire response was approved, with the changes indicated above. The full Senate response can be found on the Faculty Senate website:

[http://facultysenate.nd.edu/documents/documents/Faculty\\_Senate\\_Women\\_and\\_Minorities.pdf](http://facultysenate.nd.edu/documents/documents/Faculty_Senate_Women_and_Minorities.pdf)

Tom Gresik adjourned the meeting at 9:09 pm.

**Faculty Senate Meeting**  
**Tuesday, March 3, 2009**  
**MINUTES**

**Members Present:** William Berry, Michael Brownstein, Antonio Delgado, Debra Desrochers, Hugh Fogarty, Judy Fox, John Gaski, Nasir Ghiaseddin, Bernd Goehring, Thomas Gresik, John Griffin, Yih-Fang Huang, Maxwell Johnson, Anita Kelly, Kwan Kim, David Klein, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Joyelle McSweeney, Catherine Perry, Claudia Polini, Linda Przybyszewski, Robin Rhodes, J. Keith Rigby, Salma Saddawi, Caitlyn Shea, D. Katherine Spiess, John Stamper, Mark Suckow, Anthony Trozzolo, Julian Velasco, Joseph Venturini.

**Members Excused:** Seth Brown, J. Randy Crist, Kevin Dreyer, Morten Eskildsen, Alan Johnson, Jessica Kayongo, David Ladouceur, Dianne Pinderhughes, Robert Schulz, Vikas Tomar.

**Members Absent:** Oliver Collins, Collin Meissner, Carolyn Nordstrom, Juan Rivera, Susan Youens.

**Departments without a Senator:** Chemical and Biomolecular Engineering; Computer Science and Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 7:00pm. We started introducing each other. Mark Suckow, Freimann Animal Care Facility, offered an opening prayer.

**Chair's Report**

Tom Gresik reminded us about our losses (Terry Akai, etc.) and asked us to keep their families in our daily prayers. He also congratulated Jessica Kayongo and Sarah McKibben who gave birth this past month.

Gresik told us that the Committee on Women Faculty Hiring and Retention and the Committee on Minority Faculty Hiring and Retention were thankful for the Senate's response.

**Board of Trustees:** Main points from the February meeting of the Board of Trustees:

- Discussion on the report on Women Faculty Hiring and Retention and on Minority Faculty Hiring and Retention
- Discussion on the report of the working group on the revisions to the Academic Articles concerning the review process for reappointment/tenure/promotion decisions and the related appeals process.

**Academic Council:** Most of the Senate's comments on the revisions to the Academic Articles concerning the review process for reappointment/tenure/promotion decisions and the related appeals process were supported by the Academic Council with only one exception: the two NO vote. Gresik expressed reservations about this option (as did many on the Senate). A promotion

case may be dismissed by the decision of only two people: the chair and the dean. Gresik has shared the Senate's concerns with the Provost and recommended that the Provost's Office monitor the effect of this new rule if it is approved by the Board of Trustees. He now asks the Senate to keep this issue in mind in the future.

**Student Senate:** The administration has responded favorably to the Student Senate resolution calling for a study of the procedures for handling sexual assault allegations.

**Upcoming Elections:** It seemed to the Executive Committee of the Senate that the number of senators whose terms expire in 2010 was disproportionate to the number of senators whose terms will expire in 2009 or 2011. Almost 50% of the Senate terms were scheduled to end in 2010. For this reason Gresik contacted several senators and they have agreed to have their terms terminate a year earlier. After Gresik's intervention, there are 14 senators whose term expires in 2009, 17 in 2010, and 17 in 2011.

**Officer Elections for 2009-2010:** People were encouraged to run for election. One can propose himself or nominate others for election. The elections are in the May meeting. In the Academic Council there are 5 voices from the Senate: the Chair of the Senate and the chairs of the standing committees. In addition, the members of the Executive Committee meet regularly with the Provost to express their opinion on key issues.

**Dinner with the President:** The yearly dinner with the President is schedule for Monday April 20 at 6:30 pm. Gresik asked the senators several questions about the dinner:

- How important is this event?
- How many senators will attend?

The issue is that due to the budget situation we will not get much support for the dinner. If for the senators breaking bread with the President and meeting him in an informal situation is important to the Senate, Gresik will fight to get the needed financial support. The problem is that if we discontinue the practice for one year, it may be hard to restart. Do the senators prefer not to meet the President at all or to meet the President without a formal dinner? Several senators expressed support for meeting the President without a meal. General consensus was expressed for this position.

### **Presentations**

Tonight we have several guests:

- John Affleck-Graves on long-range planning.
- Colin Jessop and Linda Kroll on the ECDC.

### **Presentation by John Affleck-Graves on Long-Range Planning**

John showed slides that demonstrate how the University has grown since 1850, how the idea of quads has developed, and how we have decided to control the future growth so to keep our identity. The University wants to have a Gothic Campus feeling, with quads and open spaces. He

showed us how the University has grown in term of budget, enrollment, and number of square feet.

Several years ago, the University implemented the policy (which is actually crucial in this economic climate) of building only if all of the funds have been allocated. The construction of any given building can only start if 100% of the funds are in.

We talked about the new construction that is going on now, and the ones that are being planned. He explained to us the different priorities. He talked with us about the construction on Eddy Street. Fortunately, the University does not own that property any longer.

Finally, we talked about parking. It could be that in the future we will need a parking structure, and if we do there will be a fee associated with it because a parking structure is much more expensive to build and to maintain than surface parking.

### **ECDC Presentation by Colin Jessop**

Colin presented the faculty issues addressed in the report.

The ECDC is a non-profit organization that is independent of Notre Dame. It was built in 1994, and it hosts children from two years to six years of age. There are two facilities, one at Notre Dame and one at Saint Mary's. Even if they share the same policy, there are some substantial differences. First, the Notre Dame facility does not accept children from outside the University. Second, the Notre Dame facility has a sliding tuition scale. Third, the Notre Dame facility accepts children as young as two years old (Saint Mary's starts with three years old). Finally, the hours of operation are slightly different. For these reasons and because of the less desirable location, the Notre Dame facility is much more sought after.

The first question addressed by the Committee was whether the ECDC is adequately serving the needs of Notre Dame. The faculty who have used the ECDC were extremely satisfied. The ones that had not been admitted to ECDC were quite frustrated. ECDC has a lottery system and every year there are approximately 50-100 people on the waiting list. The other important issue is the lack of infant care. Because of the sliding tuition scale, there was a general impression that the faculty were paying more than their share (they were paying for the students or the staff). Instead, the report makes it very clear that Notre Dame is paying for the sliding tuition. The reason that the ECDC is the most expensive day care in South Bend is because of the quality of the service offered. In any case, equality of access was strongly supported by the faculty.

After much investigation, the committee has decided that infant care would be too expensive. Since faculty access can only increase by expansion, an expansion of the ongoing program was proposed.

### **ECDC Presentation by Linda Kroll**

Linda talked about the following issues:

- How can we reduce the cost? What makes the tuition rates so high?

- Why do we have a wait list? How can we increase faculty access?
- Comparison with similar programs at other campuses.

The ECDC operating budget runs on tuition (75%) and contributions from Notre Dame. Notre Dame provides the building along with the maintenance of the building itself, landscaping etc., plus Notre Dame provides cash for the sliding tuition scale.

The expenses of the ECDC are mainly salaries and benefits. All of the teachers working at the ECDC have the same degree requirement as the teachers working in the South Bend schools. Because most of the teachers are full time, the ECDC has to pay vacation benefits as well as health benefits, etc. This makes the ECDC expensive with respect to other day cares. On the other hand, it provides a continuity of staff.

After much investigation, the committee has decided that the ECDC operates as efficiently as they can. Operations are cost effective and the largest expenses (salaries and benefits) are driven by licensing and accreditation.

The ECDC is very competitive with respect to the local good schools like Montessori, and also with respect to other similar programs nationwide.

### **Committee Reports**

**Academic Affairs:** Julian Velasco, Chair. The Academic Affairs Committee discussed the academic honesty issue. At the next Faculty Senate meeting, he will report on it. For the future, the committee plans to look at the new evaluation system: CIF.

**Administrative Affairs:** Seth Brown was absent so Tom Gresik reported on it. The committee is dealing with the revisions to the Academic Articles concerning the review process for reappointment/tenure/promotion decisions and the related appeals process.

**Student Affairs:** Kristin Lewis, Chair. The resolution on student absences due to job interviews will be discussed at the next Faculty Senate meeting.

**Benefits:** Nasir Ghiaseddin, Chair. The Benefits Committee worked on a response to the ECDC report. They fully support the report.

### **New Business**

A senator proposed a discussion on the issue of the Queer Film Festival at the next Faculty Senate meeting. Does the Senate consider this an issue worthy of discussion? The issue was remanded to the Administrative Affairs committee.

Tom Gresik adjourned the meeting at 9:05pm.

**Faculty Senate Meeting  
Tuesday, April 7, 2009  
MINUTES**

**Members Present:** Seth Brown, Michael Brownstein, J. Randy Crist, Debra Desrochers, Morten Eskildsen, Judy Fox, John Gaski, Nasir Ghiaseddin, Thomas Gresik, John Griffin, Maxwell Johnson, David Klein, J. Parker Ladwig, Kristin Lewis, Anita McChesney, Catherine Perry, Dianne Pinderhughes, J. Keith Rigby, Salma Saddawi, Caitlyn Shea, D. Katherine Spiess, John Stamper, Julian Velasco.

**Members Excused:** Antonio Delgado, Hugh Fogarty, Bernd Goehring, Yih-Fang Huang, Jessica Kayongo, Kwan Kim, David Ladouceur, Claudia Polini, Linda Przybyszewski, Juan Rivera, Mark Suckow, Vikas Tomar, Anthony Trozzolo, Joseph Venturini.

**Members Absent:** William Berry, Oliver Collins, Kevin Dreyer, Alan Johnson, Anita Kelly, Joyelle McSweeney, Collin Meissner, Carolyn Nordstrom, Robin Rhodes, Robert Schulz, Susan Youens.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order. After the customary round of introductions the opening prayer was offered by Salma Saddawi.

**Chairs Report (Tom Gresik)**

Tom Gresik thanked the senators for their work over then last academic year, followed by the following announcements:

- The annual meeting with Fr. Jenkins will be on April 20 at 5:30pm in 162 Mendoza.
- The new Faculty Senate will meet for this first time on May 5. The main task for this meeting will be the election of members of the executive committee, as well as other committees on which the Faculty Senate is represented.
- A University committee is currently working on workspace regulations to among other things standardize the amount of office space each faculty and staff is entitled. Presently there is no faculty representation on this committee. Gresik have approached John Affleck-Graves to request faculty representation.

**Approval of corrections to the Bylaws (Tom Gresik)**

A number of grammatical and typographical corrections were proposed by Gresik and approved unanimously by the Senate. The corrected Bylaws will hence forward be available at the Faculty Senate website.

### **Discussion of meeting with Fr. Jenkins on 4/20 (Tom Gresik)**

The meeting will start with about 15 minutes of informal social time followed by a question and answer session. Gresik requested that questions that senators wish to ask be sent to him by 4/13 so they can be forwarded to Fr. Jenkins before the meeting.

A brief discussion of questions included the invitation to President Obama to present the commencement address and whether an increase in enrollment is foreseen to mitigate the current financial crisis.

The Senators were reminded to sign up for the meeting no later than 4/13.

### **Library renovation focus groups (Tom Gresik)**

Gresik argued that the Faculty Senate should be represented at the focus group meeting to be held on 4/16 and 17. Senators Brownstein, Griffin and Saddawi volunteered to serve on ad-hoc committee for library renovation.

### **Faculty Response to the invitation of President Obama (Tom Gresik)**

Gresik opened the discussion by asking whether the Faculty Senate should issue a statement in response to the invitation to President Obama to present the commencement address. He also noted that should the Senate wish to make such statement, an ad-hoc committee would have to be formed to draft a response which would have the discussed at an extraordinary meeting of the Faculty Senate.

The Senate debated the issue. Among the points raised were whether a statement could be presented verbally to Fr. Jenkins at the 4/20 meeting, whether it should be a statement of split opinion or something which could attract broad support, whether issuing a statement would create a precedence for other controversial situations, what a Faculty Senate response could hope to add to the debate and in which way.

Following the debate a motion was made that the Faculty Senate should prepare a statement in relation to the invitation of President Obama, and that it should be addressed to Fr. Jenkins. An amendment was proposed that if the motion was successful a straw vote should be held to gauge the opinion of the Senators in relation to the invitation of President Obama. A vote was called and the motion including the amendment carried (Parker Ladwig opposed the motion and requested that his vote be recorded).

A straw poll of the Senators showed strong support for the invitation of President Obama. An ad-hoc committee responsible for drafting a Faculty Senate response was formed after the conclusion of the meeting and consists of Eskildsen, Fox and Gresik.

### **Report and resolution from the Student Affairs Committee (Kristin Lewis)**

Lewis summarized the faculty response to the survey concerning policies for student absences in connection with interviews. The main conclusion is that the faculty is not in favor of an official policy in this regard. A resolution was proposed which urged the faculty to include an absence policy on their syllabus.

Following a short discussion a vote was called for the proposed resolution which passed. Senator Rigby is noted as having voted against the resolution. The final resolution text is available at the Faculty Senate website.

### **Report from the Academic Affairs Committee (Julian Velasco)**

The Academic Affairs Committee met with Dennis Jacobs to discuss the Course Instructor Feedback (CIF) system. Jacobs informed the committee that the Office of Institutional Research is preparing a document on the CIF for distribution in the near future. Jacobs addressed the concerns raised by the committee as follows:

- The CIF is essentially “done”, except with respect to few specific points outlined below.
- The results correlate with the TCE’s except in areas where differences was foreseen.
- Course goals needs to be added.
- The response rate of ~63% was considered adequate. Careful analysis showed that after 50% results are stable and thus valid.
- Only in few instances were the CIF’s completed late at night, and results do not correlate with time of reply.
- A new user interface with major improvements is in progress.

During the ensuing discussion one Senator commented that the Student Senate had expressed concern that the faculty was generally not aware of the incentives for completing the CIF’s. Another Senator commented that a massive calculation error very early and now corrected was a cause for concern.

Laski commented that he has long held the position that a single item measure of teaching (as in the TCE) is scientific impossible, and felt it gratifying to see that a transition to a multi-item composite with the CIF.

Velasco reported that the academic honesty resolution prepared by the committee had been discussed by the executive committee which had resulted in suggestions for changes. A revised resolution could not be ready to this meeting and it will therefore be up to the next Faculty Senate to finish this business.

### **Administrative Affairs Committee report (Seth Brown)**

The committee had been reviewing the appeals process for special professional faculty (SPF), library and research faculty in the case of non-renewal of employment. The proposed revisions are presently being circulated among the affected personnel, who have been invited to comment.

The Senate debated the proposed revisions. There was recognition the decision of the appeals committee was only advisory to the Provost, who could choose to abide by or ignore its finding. At the same time it was also felt that the implications in these cases was not as far reaching as for example the denial of tenure for a regular faculty.

The Senate thanked Brown for the update and did not feel it necessary to express an opinion at the present time.

### **Benefits Committee report (Nasir Ghiaseddin)**

The health of the faculty and staff of the University is improving. Preventive care is above the benchmark all the while the cost is below benchmark. If this trend continues health care premiums should remain stable or even decrease.

- The University is receptive to requests to offer a ROTH 403(b) plan.
- The long term care insurance provider has changed to Prudential.
- Student insurance is improving, with lower premiums for both students and their spouses.

### **Nominating Committee report (David Klein)**

The committee is working to secure nominations for the Faculty Senate executive committee and as well as the other committees on which the Senate can send representatives. Presently nominees are:

Chair: Tom Gresik  
Vice Chair: Julian Velasco  
Treasurer: Parker Ladwig  
Co-secretary: Morten Eskildsen

At least one more nominee is necessary for co-secretary.

### **New business (Tom Gresik)**

The Senate's opinion is sought on the possibility of moving the 2011 Spring break to avoid that the students are away from campus on Ash Wednesday. The Senate debated the proposal. A vote showed a majority in favor of keeping the current scheduled Spring break.

Tom Gresik adjourned the meeting at 8:57pm.

Faculty Senate Meeting  
Wednesday, April 22, 2009  
MINUTES

**Members Present:** William Berry, Antonio Delgado, Debra Desrochers, Morten Eskildsen, Hugh Fogarty, Judy Fox, John Gaski, Nasir Ghiaseddin, Thomas Gresik, Yih-Fang Huang, David Klein, Anita McChesney, Joyelle McSweeney, Catherine Perry, Dianne Pinderhughes, Linda Przybyszewski, Robin Rhodes, Anthony Trozzolo, Susan Youens.

**Members Excused:** Seth Brown, Michael Brownstein, J. Randy Crist, Bernd Goehring, Jessica Kayongo, J. Keith Rigby, Juan Rivera, Robert Schulz, Vikas Tomar, Julian Velasco.

**Members Absent:** Oliver Collins, Kevin Dreyer, John Griffin, Alan Johnson, Maxwell Johnson, Anita Kelly, Kwan Kim, David Ladouceur, J. Parker Ladwig, Kristin Lewis, Collin Meissner, Carolyn Nordstrom, Claudia Polini, Salma Saddawi, Caitlyn Shea, D. Katherine Spiess, John Stamper, Mark Suckow, Joseph Venturini.

**Departments without a Senator:** Chemical & Biomolecular Engineering; Computer Science & Engineering; Philosophy.

Chair Thomas Gresik called the meeting to order at 5:08 pm. The opening prayer was offered by John Gaski.

**Discussion of “Statement regarding the invitation to President Obama to be the commencement speaker and to receive an honorary degree” (Tom Gresik)**

Tom Gresik presented the draft statement from the ad hoc committee (Morten Eskildsen, Judy Fox, Tom Gresik, Dianne Pinderhughes). The draft statement contained 4 paragraphs addressing: (1) Support of the decision to invite President Obama, (2) recognition of both support and opposition to the invitation within the Notre Dame community, (3) affirmation of a tradition of inviting national leaders as commencement speakers, and (4) actions by outside groups.

Prior to the discussion of the draft statement the Senate discussed the purpose of issuing such a statement and how it would be disseminated. Several senators remarked that the Faculty Senate have not always played as active and constructive role as could be desired, and that this provided an opportunity to improve how the Senate is perceived. Presently the Notre Dame president and provost as well as the Board of Trustees view the Faculty Senate as playing a constructive role in the University and are genuinely interested in its opinion. The Senate must act carefully to maintain this position.

A motion to go into recess to conduct a straw poll on the draft statement was made and approved.

*Discussion of first paragraph: Support of the decision to invite President Obama*

The Senate discussed the paragraph supporting Fr. Jenkins decision to invite President Obama deliver this years commencement address, and in particular whether to include a sentence recognizing that this is an honor of both the person and the institution of the President of the United States. After discussion a motion was made to strike out such a sentence. The motion carried.

*Discussion of second paragraph: Recognition of both support and opposition to the invitation within the Notre Dame community*

The Senate discussed at length whether or not to include a sentence recognizing that a majority of faculty are in favor of the invitation. The main objective was that such a claim could not be documented, and possibly compromise the credibility of the entire statement. A motion to strike such a sentence was made and carried.

A sentence at the end of the second paragraph, supporting the ability of members of the Notre Dame community to express the position respectfully, was discussed. The emphasis of the discussion was on whether this would encourage demonstrations. No changes to this sentence were proposed.

Two separate motions were made to alter slightly the language of the first and last sentence of the second paragraph, without changing their meaning. Both motions carried.

*Discussion of third paragraph: Affirmation of a tradition of inviting national leaders as commencement speakers*

A sentence aimed at addressing Notre Dame's position in a larger political and religious environment was discussed. A motion to strike such a sentence was made and carried.

*Discussion of fourth paragraph: Actions by outside groups*

The discussion of the fourth paragraph focused on the wording and not on content. A motion to replace the word "agendas" with "views" was defeated. A motion to omit reference to personal, political and religious agenda, and replace with the word "positions" was made and carried.

The Senate then discussed the draft statement in its entirety.

- A motion to switch the second and third paragraphs was made and carried.
- A motion to strike the first sentence in the new third paragraph was made and defeated.
- A motion to reformulate the first sentence of the new third paragraph was made and carried.
- A motion was made to strike the word "Whereas" in the fourth paragraph. The motion carried.
- A motion was made to accept the statement in its entirety was made. The motion carried.

The entire statement, as approved by the Faculty Senate thus reads:

"The Faculty Senate supports the decision of Fr. Jenkins to invite President Barack Obama to deliver this year's commencement address and to bestow upon him an honorary Doctor of Laws degree.

The Faculty Senate affirms that the invitation to deliver the commencement address and to receive an honorary degree reflects the University's tradition of honoring our nation's leaders and encouraging dialogue with them on issues important to the extended University community and to the nation.

The Faculty Senate recognizes that President Obama holds positions that are consistent with the teachings of the Catholic Church and positions that are inconsistent with the teachings of the Catholic Church and respects both those in the University community who support and those who oppose President Obama's visit for reasons of faith or conscience.

A number of outside groups have suggested that they would use the commencement ceremonies to advance their positions. The Faculty Senate respectfully asks those groups to find other venues to convey their opinions to President Obama or to the University of Notre Dame."

Tom Gresik adjourned the meeting at 6:45 pm.