

Faculty Senate Minutes
2 October 2018
Mary E. Frandsen

Signed in as Present: Adam Martin, Anna Simon, Annie Coleman, Ben Heller, Ben Radcliff, Cody Brockelmeyer, Dan Johnson, Emma Planinc, Eric Sims, Lira Yoon, Marsha Stevenson, Mary Frandsen, Matthew Capdevielle, Mei-Chi Shaw, Meng Wang, Molly Walsh, Nasir Ghiaseddin, Paul McGinn, Phillip Sloan, Richard Pierce, Richard Williams, Shaun Lee, Shauna Williams, Sylwia Ptasinska, Tom Nowak, Tom Stober, Xiaoshan Yang

Not Signed in as Present: Aaron Striegel (e-mailed; excused), Catherine Schlegel (excused for fall semester), Chao-Shin Liu, David Gasperetti (e-mailed; excused), David Thomas (e-mailed; excused), Jimmy Gurulé, Joe Urbany, La Donna Forsgren, Marie Halvorsen-Ganepola, Matt Bloom, Patrick Deneen, Richard Sheehan, Samir Younés (e-mailed; excused), Sergei Rouvimov, Shahriar Mobashery

1. **Welcome from Ben Heller**, Chair of the Faculty Senate (FS). Opening prayer: Fr. Jenkins.
2. **Q&A with Fr. Jenkins** regarding President's Address to the Faculty 9/18/2018 and other topics.
 - Q: Update on graduate student housing
 - A: Wasn't livable, three things 1. family assistance office, serves grad students married with children started August, off to good start, well used. 2. persons dedicated to facilitating off-campus housing, assistance, price range. 3. Discussions about building something on Cripe Street, progressing, can't give timeline, is hopeful.
 - Q: Phil Sloan: had understood that new building would be built on the old site, married student center?
 - A: We have an office serving married students with children, but are also continuing to discuss building.
 - Q: Can you give us some details on the staff retirement program?
 - A: So successful at ND, concern is grown in number of staff, FTE growing at rate that is unsustainable. Must institute efficiencies due to the high cost of a university education. Did this seven years ago, will offer voluntary early retirement program for those who have reached a certain age or number of years of service. Can retire early w/benefits. Program has been rolled out. Key thing to think about: once these staff members retire, we cannot just sustain the same growth; need to find ways to be more efficient with staff we have, not continually increase the number. Public perception is that we are fat, not lean.
 - Q: Has the administration established a policy that a department must have two retirements to replace one position?
 - A: Have not developed a rule yet, but the unit will not get the full position back; will get half a position back. Half (of the salary) will go to financial aid (FA). More efficiency, make ND more affordable
 - Q: Media stories about fragile college student, true at ND? I often encounter students who are struggling, drop out, have other problems. Is this my imagination? What is ND doing about it?
 - A: There is something to it; here and elsewhere the demand growing for psychological services from the university. Part of bigger trend. Is a problem. More cases.
 - Q: What are we doing?
 - A: Have hired more people, monitor those students who might harm themselves and/or others. Students withdraw but often come back. Problem needs multi-faceted approach.
 - Q: Last spring, the FS approved a statement to be included by faculty on syllabi beginning in spring 2019 to let students know what resources are available. Need to think about mental health of graduate

students also. Undergraduates can go home; grad students do not necessarily have a safety net or health insurance, when they go home they are often unsupported; need to problem solve.

A: Thanks for bringing this up; this is important and should be looked into.

Q: Is the goal in the staff retirement program defined by the head count of staff, or the percentage growth rate, or a certain amount for tuition? How do you know when you have achieved the goal?

A: Hard to establish an absolute goal, some areas must hire people, cannot use a draconian cap, committee to look at growth areas, etc. Hope to generate 5-10M for undergraduate FA from this voluntary retirement program, is a soft goal. Longer term, must look at needs in various areas of the university.

Q: Do you foresee any efficiencies interacting w/tenure decisions? Tenure-track immune?

A: Growth of faculty is not the problem. Staff is the issue. (Provost Burish agreed when asked by Father Jenkins.)

Q: Have been calls for immediate action on Cardinal McCarrick's honorary degree. Has there been a discussion of how honorary degrees might be revoked? Policy?

A: Cosby was first time he had thought about it. Should be a reasonably high bar, don't want to revoke a degree based on suspicion or accusation. Cosby was charged with a felony, seemed to meet the standard. Need a process, must consider the evidence, make judgement on this basis. We do not have such a process. McCarrick's was very, very serious behavior, warranted rescinding the honorary degree. Spoke with Cardinal Dolan, Archbishop of New York. McCarrick is appealing, will present his case in Rome. Parallel with Cosby: wait for this process to play out, which can take a long time. Give it some time. In general: should be very serious, need process.

Q: Cosby convicted in April, degree rescinded. McCarrick: not yet convicted, but removed from the college of cardinals.

A: McCarrick has challenged the findings, has not yet had a chance to present his case.

Q: Question on loan-free admissions: are we moving in that direction?

A: Will give general answer, then turn to Provost Burish for more detail. Have limited funds and great need. Where do we place line to help students and attract the sort of students that we want? No loans a possibility, but should we do this? Provost Burish: only seven or nine universities do this; has calculated the cost, beyond our reach now. The Board of Trustees (BOT) has said it does not want students to graduate with debt of more than 10% of the cost of their degrees; currently at 7-8%. Some students have no loan package, could phase no-loan program in for some students as we can afford it. Can't see a time when no one will have to take loan.

Q: Could you address the topics of the livability of South Bend and relations between the city and Notre Dame?

A: There are always tensions, but relations are as strong as they have ever been, very positive energy. Relationship is good, what we're focused on, Mayor Pete and economic development. There is real poverty here, need to find economic opportunities for people. Is excited about the Regional Cities grant that South Bend received for infrastructure development, to make the city more livable, also creates jobs. Scholars at the IDEA center are doing work in that area – working to develop businesses that will remain in the area. Has dynamic leadership.

Q: What is the decision-making process used when an outside organization offers to fund a program, but its philosophy or activities may not be consistent with university values?

A: 1. We ask what the proposal is, are we comfortable with the academic integrity of the proposal, do faculty have academic freedom to pursue work in that area? Some have been rejected, problems with academic freedom. Faculty make the decisions. 2. If egregious or scandalous behavior, would say no. We may not endorse the views of the benefactors, and we are not endorsing their views by accepting money; are accepting it under particular conditions,

Q: 1. How do you understand the relationships (1) between the president of the university and the FS, and (2) between the Academic Council (AC) and the FS? Other universities have only a FS with

legislative and persuasive power; here the AC has legislative power, the FS does not.

A: I have sat on the AC since becoming president. That body is more narrowly concerned with policy, approving academic programs, things that are within the purview of academic and university policy. Is not a freely debating body that considers all issues. The FS is broader in scope, considers broader concerns affecting the faculty and the university. It seems that the FS has broader role in debating issues of importance, also narrow policy questions.

Q: : Historically there was a moment when the FS questioned its reason for being, which resulted in closer links between the AC and FS (membership, rights of agenda, etc.). Still thinks the FS is more broadly concerned with academic and other life at the university than the AC.

A: Sees them as complementary, remembers attempt to integrate both.

Q: I have misgivings about broadcasting the pre-game prayer on the jumbotron; what is your opinion?

A: I was nervous about it, but the stadium goes quiet when it is broadcast, and many have said it is a wonderful thing; there have been a few naysayers. Most appreciate being invited into the pre-game prayer. Doesn't think it is an intrusion, but hasn't heard complaints. Does worry about branding issue – religion, corruption. People take it seriously.

Thanked the members of the FS for their time and commitment.

3. **Denise Murphy, Director, Benefits and Wellness** (Human Resources).

Also in attendance: Scott Hershberger, Benefits Program Manager.

Ms. Murphy passed out copies of the summary of benefits with the new third-party administrator for health-insurance benefits, Anthem Blue Cross and Blue Shield (ABCBS), which will replace Meritain in January 2019. Changes will include new out-of-pocket costs in the medical plans, one network (ABCBS) with hospitals and providers nationwide, concierge-level of service, access to Anthem Livehealth Online (ability to speak with a doctor who will diagnose minor illnesses), on-site assistance M-F from Anthem representative, Engage will replace Castlight Health. OptumRX will remain the administrator for pharmaceuticals.

Open enrollment will take place 10/16-11/2. Link: <http://mybenefits.nd.edu>. Open enrollment tool will include link to “Ask Alex,” a tool to help one choose the best plan.

Other dates:

Irish Health October 16-17, Dahnke Ballroom; Anthem will be onsite to answer questions.

Health Screenings: July-November 2.

Online confirmation of benefits choices: late November

Ms. Murphy then took questions:

Q: : How will the general information session be broadcast?

A: By email.

Q: : What is the estimate of the number of faculty and staff whose doctor will not be in the new network?

A: ABCBS had to look at this information and give ND an estimate. Locally found two categories not in network: chiropractors and some labs. If a doctor is not in the network, faculty and staff can talk to Anthem about this.

Q: Is there a procedure for adding a provider to the network?

A: Yes, just inform HR.

Q: Will all branches of the South Bend Clinic be in-network?

A: Yes.

Q: Emeriti benefit (\$750.00/year from the university toward a Medicare supplement plan) is judged to

be inadequate; the Anthem plan currently costs \$3600.00/year. How would emeriti seek a larger benefit? Emeriti also cannot use the Wellness Center, and do not get information on the changes; have just one informational session at retirement.

A: HR would have a conversation with emeriti about this. Wellness Center is not available to emeriti due to a stipulation from Medicare – if a facility sees any Medicare patient, must see all. HR is currently in conversations with Medicare to see if it would be possible to include just ND emeriti on Medicare. HR looks at the retiree health reimbursement account for Medicare parts A/B, need Medicare supplement program. HR looks at this every year. Gave some history. Went to HRA, decided on \$750, compared group vs medicare supplement, still not as much as we were paying with the Anthem group plan (prior to 2012). Don't have the data to go forward and ask the administration to raise the amount. We do send information out to retirees, also postcard for IrishHealth, etc.

Q: Can faculty and staff search the Anthem provider list now?

A: Yes, choose Anthem Blue Card PPO from the list of plans.

4. **Minutes of September 4, 2018:** Phil Sloan made the motion to approve the minutes, seconded by Tom Nowak; minutes were approved.

5. **Committee reports**

A. **Excom: Dean searches**

Annie Coleman reported that a group from FS met with Provost Burish (TB) on the practices involved in searches for deans. Raised issue of faculty involvement, problem boiled down to the issue of confidentiality TB made a strong case for the current system: confidentiality allows current deans, provosts, presidents to apply and keep the jobs they are in, will not be seen as not wholly invested. A search consultant also attended the meeting, pointed out that the best candidates are not actively on the market; names are received as recommendations and committee seeks them out. Both TB and consultant were confident that ND would not have gotten competitive candidates in the last 3-4 searches for deans without confidentiality. Search process was discussed, and how faculty could be made more aware of it. TB and consultant are open to adjusting the process to try and involve more faculty within the confines of confidentiality, such as asking the finalist to meet with a small committee of deans, chairs, and faculty. Currently it is up to the finalist to decide whether s/he would like to meet with faculty during campus visit. If FS would like this expanded, can make suggestions, TB will consider. The group from FS should meet and develop follow-up recommendations to share with the body.

One FS member made the point that all faculty are involved in the tenure process, and confidentiality is still preserved. Other members asked various questions of Prof. Coleman: Do the members of the search committee have to sign confidentiality agreements? (Not sure. Could the candidate give a public talk? (Yes, but TB is not enthusiastic about this option.) When are background checks conducted? (Not until candidate learns s/he will receive an offer.)

B. Academic Affairs (Matthew Capdevielle): discussed Father Jenkins' address, had a recap of the AC meeting on the Academic Articles. Committee is thinking about drafting a statement on free expression, looked at statement of U of Chicago. Issue of protected speech, examples on other campuses of disruptions of guest speakers on other campuses. Nothing in the Academic Articles as to what is protected speech.

C. Administrative Affairs (Dan Johnson): discussed Father Jenkins's address; discussed need for clarification from the decennial review committee for the Academic Articles on what emeritus status actually confers on faculty; currently the only proof that one is emeritus (rather than just retired) is

serving in the FS. Ben Heller (BH) raised the issue at the last meeting of decennial review committee, but found little interest in pursuing it. In the memo drafted by the decennial committee to accompany the revised Academic Articles, the issue has been given back to the FS. If FS feels the need to change this, should develop a proposal and send as agenda item to AC for possible incorporation. BH added that at the last AC meeting, the AC voted to require a CAP of the whole, and asked the decennial review committee to revise that section of the revision. Vote: all in favor but one member.

D. Benefits (Nasir Ghiaseddin): met with HR last week, not much to add from Denise Murphy's presentation. At their previous meeting with HR, brought up the question of availability of athletic facilities during breaks, Denise Mursphy will pursue.

E. Student Affairs (Richard Pierce): resolved old issues, mental health statement, invited Erin Hoffman Harding to Nov. 6 meeting; FS members should send questions for Ms. Hoffman Harding to Prof. Pierce, on issues such as graduate student housing, the number of students exempting from mandatory on-campus housing, etc.

6. **New business:** none.

The meeting was adjourned at 7:40.

Respectfully submitted,

Mary E. Frandsen, Dept. of Music
Co-Secretary