

Agenda
Indiana University
UNIVERSITY FACULTY COUNCIL
November 28, 2017
1:30 P.M. - 4:30 P.M. (EST)
University Hall, Room 1006, IUPUI

MEMBERS PRESENT: John Applegate, Rachel Applegate, Tina Baich, Ed Berbari, Simon Brassell, Cassidy Clouse, Judah Cohen, , Alan Dennis , Alyce Fly, Charles Goodlett, Diane Henshel, Chera Laforge, Moira Marsh, Robert Mcdonald, Michael Mcrobbie, Marc Mendonca, Nasser Paydar, Elaine Roth, Kenneth Smith, Monica Solinas-Saunders, Rebecca Spang, T.J. Sullivan, Alex Tanford, David Treves , Jeff Watt, Joseph Wert, Susan Zinner.

Members Absent: Shail Bhagat, Ange Cooksey, Andrew Downs, Cheryl Duncan, Robert Kravchuk, Yusuf Nur, Lauren Robel, Jodi Smith, L. Jack Windsor.

GUESTS: Jenny Kincaid, Elizabeth Pear, Emily Springston.

Agenda

1. **Executive Session** (10 minutes)
2. **Approval of [Minutes of March 28, 2017](#)**
3. **Executive Committee Business** (10 minutes)
Rachel Applegate, Alex Tanford, and Joe Wert, Co-Chairs of the University Faculty Council

[U1-2018: Membership of the UFC 2017-2018](#)
[U2-2018: University Faculty Council Committees](#)
[U3-2018: Summary of Actions Taken 2016 - 2017](#)
4. **Presiding Officer's Business** (30 minutes)
Michael McRobbie, President of Indiana University
5. **Question/Comment Period** (10 minutes)
Faculty who are not members of the Council may address questions to President McRobbie or Co-Chairs Applegate, Tanford, and Wert by emailing bfcoff@indiana.edu.
6. **Revisions to the [Bylaws of the University Faculty Council](#) to establish a Budgetary Affairs Committee** (20 minutes)
[FIRST READING]
Rachel Applegate, Alex Tanford, and Joe Wert, Co-Chairs of the University Faculty Council

[U4-2018: Proposed revision to Bylaws of the University Faculty Council](#)
7. **Revisions to the [UA-03 Sexual Misconduct](#) and [ACA-17 Faculty Boards of Review: Minimum Standards for Uniform Hearing Procedures](#)** (20 minutes)
[ACTION ITEM]
Jennifer Kincaid, Chief Policy Officer, and Emily Springston, Chief Student Welfare & Title IX Officer

[U5-2018: Background information on revision to UA-03 Sexual Misconduct](#)
[U6-2018: Proposed revision to UA-03 Sexual Misconduct](#)
[U7-2018: Proposed revision to UA-03 Sexual Misconduct \(clean\)](#)
[U8-2018: Proposed Revision to ACA-17 Faculty Boards of Review: Minimum Standards for Uniform Hearing Procedures](#)
8. **Revisions to [ACA-03 Faculty Representation at Indiana University Board of Trustees Meetings](#)** (20 minutes)
[ACTION ITEM]
Alex Tanford, Co-Chair of the University Faculty Council

[U09-2018: Proposed Revisions to ACA-03 Faculty Representation at Indiana University Board of Trustees Meetings](#)

9. **Establishing an ad-hoc committee to consider revisions to [ACA-09 Search and Screen for Administrators](#)** (20 minutes)

[ACTION ITEM]

Alex Tanford, Co-Chair of the University Faculty Council

[U10-2018: Proposed Guiding Principles ACA-09 Search and Screen for Administrators](#)

Transcript

AGENDA ITEM 1: EXECUTIVE SESSION

TANFORD: Ok. This is giving notices required by Roberts Rules of Order. On February 27th I proposed several amendments to the bylaws of the UFC. First, to amend paragraph four to change the date by which the co-secretaries must determine the number of representatives each campus may elect to the UFC from October 15th, when we haven't even met yet, to December 31st, to change the date by which each campus must have elected its representatives for the next year. From the last day of February, as it is now, to the last day of June. And to change the date on which the newly elected UFC begins its term from immediately after the last schedule meeting, should be March first, to July first. Second, to amend the paragraph five. To change the date by which the newly elected UFC must elect its Executive Committee, from August first to September first. So that, we will actually exist in order to do that. To clarify that this elections are in addition to the automatic membership on the Executive Committee for the chairs of each campuses Executive Committee, and to change the co-secretaries positions from one elected by the UFC Executive Committee to being filled automatically by the Presidents of the IUB, IUPUI, and regional Faculty Councils. Third, to add to the duties of the three co-chairs in section six that they appoint one of their number to be the parliamentarian, which we do not currently have, and one to be the Chair of our meetings. And the third to be...to keep the minutes, which we do not currently keep.

R. APPLGATE: I think I'll object to that.

TANFORD: And forth, to add a section to the bylaws that specifies a procedure for amending the bylaws in the future, that allows the Executive Committee to give notice of the proposed bylaw in the regular agenda for a UFC meeting. So that no one will have to bore you in the future by giving all prior notice to comply with Roberts Rules of Order. If anyone was paying attention and has any thoughts, other than Rachel that objects to additional duties for the co-chairs...has any thoughts on the bylaws in general, which makes interesting reading and which we features, by whether we should actually keep minutes, and have a parliamentarian. And whether we should add a section to our bylaws on how to amend them in the future. You may address those comments to me, Rachel, Joe, or any member of the UFC Executive Committee, to whom this will go for discussion. Yes.

[Indistinct conversation]

TANFORD: The parliamentarian, can also be the (inaudible).

R. APPLGATE: Yeah. I think it would be useful at some point if we could pull out all this dates. So, that everybody on the UFC knows when things happen, you know, for example, I did not know when I took my position about the meetings of the Executive Committee. And just having sense of who meets when. And that way we would...it would get people the sense of the flow of proposals and when they need to go to what bodies.

MCROBBIE: Yeah.

TANFORD: We basically been operating as UFC under...however we did it last year and however we did it the year before, without any real sort of sense of structure, like, what are the dates by which we are supposed to be together? How do we act as a body when we only meet twice a year? That there, are the set of things that I would kind of like for us to look at. And this is just a starting proposal to begin to have a set of bylaws that actually give us a schedule for what we are supposed to do.

HENSHEL: Do you want comment from there?

TANFORD: I...

R. APPLGATE: Go ahead.

TANFORD: I perfectly loved...

HENSHEL: No intention by...you just kind of flicked out and acted like you were going on and...

TANFORD: Oh! No. Sorry.

HENSHEL: Just looking at...

TANFORD: I always talk too much anyway.

SPANG: We feel that we have to notify you (inaudible).

MCROBBIE: My apologies for the complete inability to judge traffic.

TANFORD: That's all right. We convened the meeting in your absence and I gave notice...oral notice of four proposed amendments to the UFC bylaws. Now, I yield the chair back to you to begin the regular agenda.

MCROBBIE: Shall we start with the... All right. So, let's...did you do the approval of the minutes at all?

TANFORD: No.

MCROBBIE: Ok. Let's do the approval of the minutes. Can I get a motion to approve the minutes, please? Thanks. Can I get a motion to approve the minutes?

AGENDA ITEM NUMBER 2: APPROVAL OF MINUTES OF MARCH 28, 2017

R. APPLGATE: So moved.

MCROBBIE: And a second? Ok. We have a motion to approve the minutes. Any discussion on the minutes? Any corrections, etcetera?

TANFORD: One discussion, which I meant earlier, which affect...there are no minutes to approve. The document that we are approving is a copy of the agenda and a full transcript of the discussion of the last meeting. We have never had anybody that actually prepared minutes, so that I am going to actually abstain from this vote. Because, it...one of the things that we are...that I never realized until today was it...we don't have minutes. Because I clicked on them to read them...

MCRROBBIE: Right.

TANFORD: ...and decide if I was going to approve them. And they are not there because we've never done them. We just done a full verbatim transcript.

MCRROBBIE: A matter which frankly moved us to...of the time and efficiency, may be worth reviewing frankly.

TANFORD: Absolutely! Because if you go back and try to look at... Did we vote on something? What was the vote? Because it came of...for example, if we do something that takes away the autonomy of the individual campuses. It has to be by a two thirds vote. Not a majority. But if you go back and look at some of the actions we've taken and you can't tell what the vote was, or exactly what was done. So that, we are going to look at that as the Executive Committee in terms of the way of create actual minutes in the future.

MCRROBBIE: I guess that's an excellent idea, actually. So, we do have a document in front of us, which is best writing out of the (inaudible). Probably given that we have in the past approved such documents, for years, it wouldn't be a bad thing to approve it this time again. (inaudible) that this might never happen again. So, we do have a motion at least. Anybody else feels uncomfortable? Anybody wants to abstain like Alex? I will put, with some tribulation, I will put the motions. All of those in favor approving the (inaudible) minutes and the (inaudible) ...signify by saying "aye".

SPEAKERS: Aye.

MCRROBBIE: Against? Same sign? And one abstention. Any other abstentions? No, just one abstention. Ok. Thank you very much. Let's move to Executive Committee business. And, who is taking lead on this? Alex or...?

AGENDA ITEM 3: EXECUTIVE COMMITTEE BUSINESS

TANFORD: Rachel leads on Executive Committee's...

MCRROBBIE: Rachel?

R. APPLGATE: I'm on number six, but I'm not necessarily on number three.

MCRROBBIE: Any...? Jeff? Anything? Alex, anything under number three?

TANFORD: I actually...on my Executive Committee business...I actually did that sort of before you got here.

MCROBBIE: Oh! Ok.

TANFORD: Because notifying the group of the...of a set of amendments to the bylaws that I was going to propose at the Executive Committee undertake. And encouraging anyone who has influx about the dates by which we needed to vote for things give me feedback. That was the only thing I had to...

MCROBBIE: Joe? Nothing?

WERT: No.

AGENDA ITEM 4: PRESIDING OFFICER'S BUSINESS

MCROBBIE: Ok. All right. So, let's move to agenda item four. Under agenda item four, as long as my voice holds up, I want to...I want to make a full statement for the record. Once I make the statement, this will be released publicly in this consense situation with proposed tax reformed legislation that was recently approved by the House of Representatives. I think everybody knows...and that the Senate is expected to vote on this week. So, we appreciate the desire to simplify and strengthen the nation's text guide and we recognize it out. Legislatives have many competing interests to balance. However, we must oppose the legislation that would undermine our coal missions of education, research, and price prospective students and their families out of a secondary education at a time where holy advance was what is needed to propel our state and our nation forward. As experts have concluded, the bill that passed the House, the bill called h01, all the text acts and jobs act, will have serious and fair reaching negative implications for you as higher education. Indeed its proposal has threaten to reverse much of the major progress we have made in recent years in encouraging saving form and participation in post-secondary education, in helping students and their families pay for college, and in reducing the amount the student (unintelligible) Earlier this month, the American Council on Education, on behalf of the Association of American Universities, the AAU of which IU is a member, and forty-five other higher education associations sent a letter of concern to the leaders of the House Ways and Means Committee expressing strong opposition to (unintelligible) hand of provisions in the House legislation. In this letter, the ACE noted that this provisions would make higher education less accessible for low and middle income students. It also cited a Ways and Means Committee summary indicating that the bill would cost college students some 65 billion dollars over the next decade. So, we are pleased that the senate's tax reform proposal leaves intact many of the education tax credits and tax exemptions that helped all set the cost of college for students, families, and employees. However, we remain very concerned about the fight with several key benefits that the version of the house passed, would eliminate. And that would have been critical in efforts to keep higher education accessible and affordable to students and their families in particular. The student loan interested action, the lifelong learning credit, and employer provided educational assistance. Currently, IU has thirty-five hundred graduate students who are working as teaching and research assistants in exchange for tuition reimbursement, which is typically a fair greater value than the actual income that they would otherwise had perceived. Under the bill pass the house, the students will have to report this tuition forgiveness as personal income. Which would be particularly devastating for their day to day finances. It will also make it more difficult for IU to attract the best and

broadest students to the graduate programs on which the growth of our state and nation depend. Taxing graduate school tuition waivers promises to have a profound negative effect on the ability of the nation's researching universities to impact areas critical to strengthen our nation's competitiveness in the global marketplace. According to Didier from the US Department of Education of the 145 thousand of graduate students nation-wide, who would shoulder a higher tax burden, about sixty percent are starting within STEM fields. We simply cannot afford to lose ground in attracting those students who we know will drive an evasion, got the development of new technologies, and perform the type of path breaking research that will improve our economy and quality of life. Repealing the popular student interested action on top of (inaudible) inclusion waivers as taxable income, would make an enormously more difficult for our students, especially those from low to middle income families around the riverside minority groups to repay the loans needed to seek and earn a masters or doctorate degree. Finally, approximately five thousand IU employees, their spouses, and their dependents receive qualified tuition reductions annually. Taxing this reductions may prevent some IU faculty and staff from sending their children to the university where they work, and where they know that will get high quality education. Last and coming days- as has been the case in previous days- we will continue to vigorously express our strong support from amendments that will reduce the negative effects of this legislation and oppose amendments that would cause further harm to the university, its students, and its staff. We could...going to continue to work very closely with organizations like ACE, AAU, and the APLU. We are in touch with them multiple times a day now, as well as (unintelligible) State's Congressional Delegation, to ensure that any bill will ultimately emerge as Washington is less draconian for higher education. To this end, I want to assure IU faculty, graduate students, staff, and other members of the IU community, that our government relations staying is working as tirelessly as they have now right from the beginning of this process, here of course in Indiana, but also in Washington to help out. Representatives understand the implications of this legislation. The education we provide out, based on broad students, is one of the most powerful contributions that our colleges and universities can make to improving our communities and all society at large. (inaudible) waiver and our commitment to educating citizens who would shake the future of the state, nation, and the world. I'm glad to have this opportunity to speak with you directly and publicly about this really important matter. We'll continue to keep you apprised and posted of any new (unintelligible) congress conceited changes that will impact IU and its students. And as I see this will now go public, both, in the university and outside the university. With that, can I ask if there are any questions on this matter? You can imagine this is a matter that is fully engaging, all about college universities all around the country at the moment. And it's just difficult to say what the outcome of this is going to be. Just on the way here, I see that the meeting...the congressional democrat leaders are going to have with Mr. Trump is being...was cancelled after he wrote saying that he didn't think it'd be of any use anyway. (inaudible) not unreasonable, that would cancel the meeting in that situation. But, this is really a matter of...it's changing from hour to hour to what is going to happen. But, any questions or comments? Anybody? Yes.

AGENDA ITEM 5: QUESTION/COMMENT PERIOD

LAFORGE: (inaudible)

TANFORD: Could you speak up?

LAFORGE: Yes. The hope is that they would prevent, specially the taxations of the graduate students...

MCRORBIE: Yes.

LAFORGE: The question (inaudible) is the university thinking about planning the (inaudible) go through alternative ways to grant tuition waivers to graduate students?

MCRORBIE: Well, I think (unintelligible) at the moment is on trying to stop that happening along with other people.

LAFORGE: Oh! I...

MCRORBIE: How we...I mean, how that would be handled is going to depend on where it ends up. Hopefully, the one being issue, if there is, is going to depend on the scale of the issue how we are going to look at...addressing it at that point. I mean, I really can't say anymore given that this is only naturally a matter...what about a month, less than month, I think this is actually being in front of us. Other questions?

SPANG: Can I ask what the other major federal issues on the university's radar right now are? I mean, I would imagine that should net neutrality be provoked? That with have significant issue...

MCRORBIE: Yes. Right.

SPANG: ...perhaps.

MCRORBIE: Well, net neutrality is an issue of the whole country, it seems to me. I mean for everybody...everybody in this room an outside the room and so on. That is, I mean, is an issue that we were involved in sort of fighting for a long time ago, when I was stolen IT. Obviously, we are looking at how we can try to address that issue, I've been gratified by the amount of opposition that is being to that. But, at the moment most of the oxygen is being sucked up at the least debates tax reform discussion. Obviously, the Docker situation is a big concern. I don't...I think I can mention to you that I met with Speaker Ryan with a number of other Big Ten presidents...that goes like three weeks ago, something like that. And he was pretty adamant that they would solve the Docker issue, which I found reassuring. Although it's certainly not necessarily guaranteed. But, at least it's coming at his level. He personally expressed support and concern about the issue. His concern is more trying to comprehensively deal with immigration issues. And he does not want to deal with, this is as a one official...he wants to deal with it as one of a sequence of issues that he is trying to deal with. But, at the moment I think that's now temporarily on the back bone for a little while longer. So, that's always another issue. The situation with funding for the agencies, again, at a previous meeting with Speaker Ryan before that...couple of months ago before that, another meeting we had with them was specifically to talk about funding for NIH and (inaudible). And again, you see pretty emphatically that, if there was one issue that had complete by Patterson's support it was funding for medical research and other research. And if you would have seen, the President's budget was not even really seriously considered. Then the congress basically term is being determining in time the use about appropriations. Oh! Sorry.

TANFORD: No. No, it's fine. I...the...I guess, I want to say thank you for the statement and again, I...as with the Dock issue previously, I think that it is to our creditors university and the (inaudible) that we are taking a leadership role on this. And I urge, obviously, that this be distributed as widely as possible.

Particularly find a way to target (inaudible) to faculty and graduate students as soon as possible, because at least on the Bloomington campus there is a tremendous amount of anxiety. Particularly among graduate students over this issue. Indeed there were even some kind of rally on the Bloomington campus tomorrow as I understand it. And so the sooner this can get out...

MCROBBIE: Right.

TANFORD: ...the better.

MCROBBIE: This is going to the Dean of the graduate school. He hasn't already, but he's got to be sending this out now that I've made this public.

R. APPLGATE: I would just like to ask for next meeting and all the other meeting that if possible our legislative team could come and give a presentation. Is such a moving target, that I had to save the question that Rebecca had. What are our top priorities? Although, understanding it's far more important for them to be in Washington making things happen. But, if we could think about that for next agenda.

MCROBBIE: Yeah. That's fine. They'll be delighted to come and... I think, I don't know whether was the last meeting... We did have them in.

R. APPLGATE: We did.

TANFORD: Yeah.

R. APPLGATE: It was great.

TANFORD: And they are very...

MCROBBIE: But, that is that a problem having them back as often as you want them back.

R. APPLGATE: I wish we didn't have to have them back, but I think we do.

MCROBBIE: Other questions? Anybody? Ok. Thanks for the comment too Alex. Let's move to five question and comment period. Any questions or comments? Do we have any...any that came in? Nothing came in. Any questions or comments on any matter of this can be regarded to me or to any member...any of the coaches. Yes.

LAFORGE: We emailed both about (inaudible) policy. Going from two years to one year. Earlier this semester, I'm not alone in this. I have not heard any follow up about that. Is there any update on that change? It was going to go to the Board of Trustees, I believe.

J. APPLGATE: Yeah. It did go to the board, which approved it. And so, HR is working on the administration of it for a lack of a better word, exactly the coverage. But yes, the idea was to go from a two year eligibility to a one year eligibility.

LAFORGE: And that would with...perhaps for faculty next year? Is that the sort of the goal of implementation or is just...?

J. APPLGATE: No. As I recall, it went into effect pretty much immediately.

MCROBBIE: That's my recollection too. Yeah.

TANFORD: Mine also. There was a request for it to go immediately, because at least with some departments the recruitment...in fact, the recruitment period was beginning.

J. APPLGATE: Right.

TANFORD: And they wanted to be able to tell them that this interest vested sooner.

MCROBBIE: Other questions or comments? Anybody on any matter? All right. Let's move on. We've got a series of issues concerning policies and procedures, etcetera that you'll see. Which will take up for the rest of our time. So, let's start with six, and... Rachel? Take this one?

AGENDA ITEM 6: REVISIONS TO THE BYLAWS OF THE UNIVERSITY FACULTY COUNCIL TO ESTABLISH A BUDGETARY AFFAIRS COMMITTEE

R. APPLGATE: Yes. So, this is in your packet here, U4-2018, here. Last year the various bodies across the university had a review of RCM. There were campus reviews at IUPUI and the medical school in Bloomington, and overall campus, and overall System Committee. And out of that, it was a recommendation of the participants in that to create a standing UFC Budgetary Advisory Committee. We have been very cautious about creating standing committees. So, given that proposal, we have drafted...I drafted this language with a lot of input. And all the...so you can see what we have right now, is...all we have is Honorary Degrees Committee, and then other committees for ad hoc. And we removed that down to c, and then we would add in b, Budgetary Advisory Committee. There are a lot of...to put it simply, the reason for this Committee is there are a lot of financial issues that are at the university level, and there is probably going to be more. So, to have a venue in which this can be discussed, was...thought to be desirable. So, any comments editing? Joe?

WERT: I was thinking in the Executive Committee, we had change the wording of the membership.

R. APPLGATE: Ok.

WERT: There would be one member from each of the regionals and I think we are going increase the membership from the IUPUI in Bloomington campuses as well.

R. APPLGATE: Ok. Do you know exactly what that was? I wasn't...

WERT: Three from IU.

R. APPLGATE: Three?

WERT: I think that the other...

TANFORD: Three from IUPUI, and one from each regional. Committee of the eleventh.

R. APPLGATE: Ok. Did we retain the language of which one shall be from the School of Medicine for the IUPUI section? Ok. Yes, go ahead.

TANFORD: I met briefly yesterday with our CFO, John Sejdinaj. Just sort of because I thought we should touch base with him before we created a committee that's supposed to advise him. He was receptive to the idea. He also thought that the RCM process had worked well. And he...were a couple of things that he raised about the policy as drafted.

R. APPLGATE: Ok.

TANFORD: One was...he was concerned about turnover on this...wondered if there could be terms of office specified in it. He thought there was a...you know, if you are talking university budget level, there's a learning curve and a sort of consistency in seeing the same people. So, he raised the issue of turnover. Secondly, he raised the issue of practicality of a large committee spread all over the state and how it would meet? How often it would meet? And whether or not one could write into the policy that there would be a chair or a kind of three person Executive Committee that he could meet with more often, while we are trying to get the whole Committee together. Right? The third thing he asked about...he gave me, and I would happily give this to anyone else who wants it, a like organizational chart for his office and what they do. And wondered...seven levels of administrators that report to him at various levels, that he meets with to discuss things. And he said, he would sort of like to be able to meet with this Committee if it gets created and talk about exactly what...which of the (inaudible) at his office is involved in in terms of budgetary planning and campus allocation, and things like that. That it would be productive to have a dialogue with the faculty. He raised and then sort of didn't talk about it anymore, whether or not jurisdiction of this Committee should be written into the policy. I suggested to him, just my personal view of it. Probably not initially that maybe this Committee would need to meet for a year or two, and sort of figure out how this can be a mutually helpful process. And with those words he...his comments, he...again, he liked the idea and thought that if well done it, with... Oh! The other...one other thing. He also hoped that on this Committee would be people linked to the Budgetary Affairs Committees at some level on their campuses.

R. APPLGATE: (inaudible)

TANFORD: Yep. That, you know, that he thought...a lot of times he needs to be able to say, this isn't a university issue. This is a campus issue, and get that back down the pipeline. And those were the...those were basically his comments on the things that we talked about.

BERBARI: Maybe makes sense to use the ad hoc process for now to get this Committee established as soon as possible? And then, let this issues you brought work themselves out with the person (inaudible) at the Ad Hoc Committee to define more clearly things like terms of office, rotation, leadership, Executive Committee. And so, in other words, it seems as though, it's important not to get going rather than waiting for the regionals and (inaudible) later, so long.

R. APPEGATE: Yes, we had an Ad Hoc Committee last year. Because of the RCM, we created an Ad Hoc Committee for that. And this came out of them, Jack Windsor and Ben, and the other people suggestion. And Jack was the one who told me that, you know, John Sejdinaj was...this was the right time, because John was open to moving on this. Some of the points you brought up are written in here, like people with experience, you can't put new piece on this. And people...and they exactly written in that they have to communicate, which we don't write into our Committees. But, we might as well start somewhere. So, what we could do is have the people who were on last year, or we could keep the Ad Hoc...this is just a first reading. So, we can't pass it until next meeting. But, we can revise, and we can task them with...if they need to revise it more. They could do that. What do you think Ed?

BERBARI: I was just saying that if you needed to get this moving more quickly, instead of waiting for this, you know, the second reading and stuff, that maybe the Ad Hoc approach...and if it's already in existence...

R. APPEGATE: It was last year. I don't think we constituted it for this year.

BERBARI: It seems to me, if I make sense, to let that group of experienced people (inaudible) address some of those issues. And therefore, the second reading would then incorporate that now (inaudible) input.

SPANG: Does seem that a regular ad hoc process might actually be more expeditious than altering the bylaws to create the Standing Committee. Specially, since once the Standing Committee has been created, there will be questions about, well does it...do the bylaws actually define...describe what it actually does?, or do we need to amend the bylaws so that it does describe what the Committees are really doing? I certainly shared John Sejdinaj's concerns that you might have created a Committee that would be a bit unwieldy, where as it seems to the (inaudible) last year wasn't.

R. APPEGATE: Right. Right. I don't know where... One of the things about a too big committee is that some people might just not show up.

MCROBBIE: I must...I was going to say, the...I've heard, there may be people who want to contradict me, but I...but either than nothing (inaudible) good about that Ad Hoc Committee and how it worked. It seems to be one of the most successful...such exercises that were carried out. And the ultimate work was very good too, but...

SPANG: Yea.

R. APPEGATE: Yea. We...they wanted to take the next step of having at the regular, and not Ad Hoc Committee. Because, as we noticed, we did not constitute it for this year. So, did it go away? We don't know. You know, I mean, when you constitute an Ad Hoc Committee, what is its term? I think it was constituted for the fact...for the purpose of participating in the RCM review, and it did that. You know. It did it fine. But, does it still exist?

SPANG: I think that we can move right now to constitute an Ad Hoc Budgetary Affairs Committee, and perhaps we can give it term limits. We could say, you know, for the next three years. And then, we...

ZINNER: I think one of the reasons it's so large is, when I presented this to the Executive Committee at IUN, some of the members were concerned that there was no regional representation.

SPANG: There are two regional members.

R. APPLGATE: They worked on the RCM review Ad Hoc, I think. Cause was just RCM.

SPANG: Right. OK.

HENSHEL: I would like just to point out that I don't see that there's a problem with the state-wide representation. Because, we have so much that we can do digitally these days, that it seems kind of silly to say that, well they can't communicate. Of course they can communicate.

MCROBBIE: Did you...you were suggesting an alternative to establish an Ad Hoc Committee now and just get it on the way?

SPANG: Yeah.

MCROBBIE: I mean...

ROTH: I think you were suggesting exactly the same Ad Hoc Committee last years' right the one that has many...

R. APPLGATE: Should get involved.

MCROBBIE: With additional regional...

R. APPLGATE: Yeah.

MCROBBIE: ...members. Yeah.

SPANG: We could expand it to include two regional...

R. APPLGATE: We've got time. Here's a suggestion. We can vote today, to establish an Ad Hoc Committee and add to it some people from the regionals. Ok? And we could...if you delegate it to the co-chairs, we could work something else out. We could also delegate that Ad Hoc Committee to revise this and bring back a new version in spring, which wouldn't go to the faculty until next fall anyway.

MCROBBIE: That seems like a must able resolution. Actually...how much do you (inaudible)?

R. APPLGATE: We have to actually contact this people to make sure that they are willing, but...

[Indistinct conversation]

TANFORD: let me ask a clarification question, since I was not on the RCM review Committee. I was given a sheet of paper, by John Sejdinaj, which contains approximately fifty people who were involved in it on six different sort of subcommittees.

J. APPLGATE: Wide list.

R. APPLGATE: This is the one that that was on the UFC. So, it's really UFC Budgetary Affairs.

TANFORD: So, we are talking about...ok. We are talking about the Budgetary Affairs Committee.

MCRROBBIE: Right. Right.

TANFORD: Ok. And that, as constituted last time. It had Jack Windsor from IUPUI, Ange Cooksey from east, Joe Wert from southeast, Bob Kravchuck, and Elizabeth Housworth from Bloomington, Ben Boukai from IUPUI. So it was in essence...the model that's reflected in here, two people from IUPUI, two people from Bloomington, and only two of the five regionals. So, I think if we are going to...we ought to be clear if we are going to authorize an Ad Hoc Committee. Are we talking again only two regionals represented or five with one representative each? My view is that it ought to be five.

K. SMITH: So, talk to people who have the most knowledge about the next steps in revision of this proposed bylaw change. Aren't they in the room here, rather than on this Ad Hoc Committee? The people who made this version, and who have responded to this questions. Aren't they the smartest most knowledgeable people right here, rather than away?

TANFORD: Us?

R. APPLGATE: There's a sort of a distinction in the...the one that was created las year, was created for a special purpose, you know, it was created for RCM review and it was optimized for that. When I drafted this and we got the input, you know, it's the best next step that we could think of it. But, the issue of whether...I think that we could task these six people with contacting the regionals and getting their input.

MCRROBBIE: Joe is on it, so...

R. APPLGATE: Yeah. I didn't see Ange.

SPEAKER: She is not here today.

R. APPLGATE: Right, so...

MCRROBBIE: Yeah. But the two of them...

R. APPLGATE: Right.

MCRROBBIE: Between them could conceivably...

TANFORD: Conceivably Bob is not here. Bob Kravchuck.

MCRORBIE: I was talking about the two regional...

R. APPLGATE: Yeah.

WERT: Yeah, Angie is not here.

MCRORBIE: Yeah.

R. APPLGATE: At least it's a closed Committee, there's no reason why people can't come to it? You know? I mean, we don't generally have Executive Sessions. Yes.

MCRORBIE: Yes.

CLOSE: I know this (inaudible) misunderstanding. There could be (inaudible) Just Ad Hoc Committee and so, this year Committee with the revised language from the three members from Bloomington IUPUI, and the two Bloomington campus. And then...I mean, there's nothing new to create, we just...

R. APPLGATE: Yeah. We could create that today, because we are on it...

CLOSE: And then just the (inaudible) the same language and wording and concept, which is Ad Hoc that could be created today. And then run into the Constitution.

MCRORBIE: So, in summary, what's being proposed is to what...expand the Ad Hoc Committee?

CLOSE: Well...

TANFORD: Let me see if I can read it.

CLOSE: To tell you exactly what's being proposed now, but so being a Sitting Committee in our Constitution, or in the bylaws. It's just an Ad Hoc Committee created exactly as proposed otherwise.

MCRORBIE: But it is large.

R. APPLGATE: Yeah.

CLOSE: Is that...?

TANFORD: That's the eleventh question.

CLOSE: Right. The eleventh person.

R. APPLGATE: Right.

CLOSE: With those revised numbers.

TANFORD: Three IUB, three IUPUI, one on each regional.

R. APPLGATE: You know, if that turns out to be not workable, by March we'll know that.

TANFORD: We'll have a next meeting.

R. APPLGATE: That you would say, now really doesn't work. And we can do it. So, it's not exactly as you did it here, as exactly as I wrote in and be corrected the language, from the Executive Committee meeting.

MCRROBBIE: Rebecca.

SPANG: I am a little worried that Rachel, well if it doesn't work we'll know that by March, might risk (inaudible) away the good will of John Sejdinaj, who enjoyed working with...seemed to find the process of working with the small Ad Hoc RCM Review Committee very fruitful. And so, I mean, he already has enough on his plate without us sort of involving him in experiment about whether an eleventh person committee works or not. So. I'm a bit anxious about that.

R. APPLGATE: Susan and I were on the Graduate Faculty Council, and you were a little corner of our video. Because she attended from...and that was like twenty people maybe? Cause, there was like a room of IUPUI people, there was a room of Bloomington people, and there were a bunch of people from the regionals on there. And that seemed to work ok.

ZINNER: I have lots of meetings. I mean, I'm on lots of committees with people all over the state, so we do those all the time.

R. APPLGATE: Ok.

WERT: Yeah, I'm not sure what's the dividing line between a Committee that's too big and too small. To me eleven doesn't seem that remarkable at all.

CLOUSE: If you are going to have the Executive Council (inaudible) anyway, or the Executive Committee within that, you know, like two or three people that somebody suggested earlier. It can really...

WERT: Yeah. There could be one person from Bloomington, and one from IUPUI, and one from the regional, who acted sort of the...

CLOUSE: Like the way it has always been...

WERT: The Executive Committee then can do the...most of the communication between them and John Sejdinaj.

MCRROBBIE: Yeah. Yes.

HENSHEL: So, what was the reasoning for the proposal of the six member committee?

R. APPLGATE: Because of it was small (inaudible)

HENSHEL: No. No. No. I'm sorry, the eleventh member committee. For proposing the larger...

TANFORD: It starts...

HENSHEL: (inaudible) and I'm assuming it's because they thought there should be overall more together from the courtroom that says (inaudible)

TANFORD: You could whether...It starts from the premise that each regional campus, and we are talking...should have a representative.

HENSHEL: Right.

TANFORD: And then, so that's fine...and then the question is, two versus three from Bloomington and Indianapolis. And I think the reason that we went to three, was simply just sort of preserve the way the ratio that it had been written into the first draft. Could be two in Bloomington and two on IUPUI. I don't think that matters.

HENSHEL: I'm wondering if the people in this Committee have a say as to whether it would be dysfunctional, in their opinion, with five regional or the four in the course. Which keeps it at nine instead of eleven. And whether that makes a difference. I mean, I personally am comfortable with keeping some of the regionals out. I think that they need to have representation. So, the question that becomes of course, what's the point of having (inaudible) I assumed that that was because of a third (inaudible)

R. APPLGATE: I think it's a reflection of size. I think...and rose it out of proportion, or roughly (inaudible)

TANFORD: I think the...In total, faculty university-wide roughly forty percent of the faculty is at IUPUI, forty percent is at Bloomington, and twenty percent is scribbled on the rest of the regionals. So, that it was...a kind of a rough population representation. Even then, there's...the core campuses are having relatively less representation. We couldn't go into market with (inaudible)

HENSHEL: So, I don't know. I think having it expanded, would you be willing to have your proposal that it's expanded to those sides of this proposal? Do you really want to keep the original (inaudible) just regional?

SPANG: I am somehow concerned that it...as I said, I do not want to figure away the good will of John Sejdinaj. And so, I think we need to be very careful in making sure that we have a committee that can be workable and that is...I mean, this are...it's not simply about the logistics of having a meeting with so many people in it. It's that some of this maybe confidential issues and again, a smaller committee is better for keeping confidences. So, in just a number of respects, I personally think that the idea of a committee of six, I mean, I understand the issue about it seeming to not include...I mean it wouldn't necessarily include representation from each of the regional campuses, but you could also say, "oh gosh! There are RCM units on the Bloomington campus who aren't represented on this." You'll simple have to realize that's not the model of how representation is happening here. What we have is, two from Bloomington, two from IUPUI, and two from the regionals.

SOLINAS-SAUNDERS: I think, the issue would be (inaudible) that the two representatives from the regional campuses will not come to each campus to provide an explanation of what's going on. So, we would actually not have enough information about the advances and the progress of the Committee work. Also, the five regional campuses appeared to be different in nature, in terms of the student-book relation they serve, in terms of the degrees they offer. So, I'll be concern about not having one person from each campus. I do agree that in terms of numbers it seems like we don't seem to need more than two. I total agree with that. But, because of the differences and the way we are spread across the state, I think we might need to have one person per campus. Would you see that?

SPANG: I understand. I can certainly...if it were a curricular committee, or if it's about students, but since this is, again, a Committee that is going to...I am not terribly invested in this. I want to clarify.

MCROBBIE: I mean this is a matter...I would say, the UFC sidewalk. But, it's worth bearing in mind that proportions of the budget were three point...

SPANG: Yeah.

MCROBBIE: ...six billion dollar organization. Then three billion of that is Bloomington-Indianapolis. The regional campuses collectively around relatively small amount that's out of the bunch of the university. The great bulk of the issue, is to come up concerned that the two big campuses...I mean, to be frank, I mean, you see makes an (inaudible) between...I think by expanding it in this wide...it takes for John Sejdnej...it takes a cent of gravity away from...what the really big fiscal issues are to smaller fiscal issues, which tend to be mainly dealt within the campus level. So, in my experience, I think that John...and consequently would be lot less to get use to them. Out of the exactly what right...what bigger assign it will...not so much a matter of good will, I just think it's a question of what will help John get genuine input from outside of the administers of ranks of the university and what will simply became an encumbrance that will (inaudible) and disappear.

R. APPLGATE: The one encounter to that, I would say, is that there are smaller boats that can be swamped a lot faster. There are some far bigger posts. There are some fiscal issues like IU online, and taxes, and things like that, that have very dramatic effects on the small... The smaller the campus, the more dramatic the effects on. On our campus, our Budgetary Affairs Committee has seventeen people on it, because we've got one from every school, even if it's a tiny school or if it's a big school. And can be...does fine with that. I wouldn't think that John would have too much of a problem of...especially, if there's a smaller Executive Committee within this, that he could communicate with more often. I just have a fair amount of confidence that he could deal with the eleven people.

MCROBBIE: Oh! I've enormous confidence that John can deal with any number of people.

R. APPLGATE: But, will it be...?

MCROBBIE: It's just a question of what's going to actually be with what, in terms of advice and input (inaudible). Anyway, how does the UFC wants us to proceed on this multiple proposals in front of us?

TANFORD: May I make a specific?

MCRORBIE: Yes, of course. Please.

TANFORD: Which is...I guess I will make a motion to refer this back to the Executive Committee, for the Executive Committee to, as quickly as possible, process what has been said -Rachel has been taking notes-meet with John Sejdianj to talk about...now, some specific things about size and what would work. And then, create an Ad Hoc Committee as close as possible to the proposal that you have in front of us. And let you know what we've done in February, so you can yell at us if we've done something horrible and do something different.

J. APPLGATE Second.

TANFORD: Ok.

HENSHEL: Alex, could you add one thing to that? Could you add an email feedback loop in there?

TANFORD: Yes.

HENSHEL: Thank you.

MCRORBIE: So, we have this as a motion properly amended. Any...we can put that in a minute...any discussion? Any more comments? Yes.

R. APPLGATE: Just to clarify your question. Your point about the email feedback. Do you mean, about how the Ad Hoc Committee is constituted after we talk with John Sejdianj? Ok. I just wanted to make sure.

TANFORD: Before the Executive Committee makes the decision...

HENSHEL: Yeah. Before there is a final decision.

R. APPLGATE: Ok.

TANFORD: ...one of our suggestion is, and everyone has an opportunity for comment.

R. APPLGATE: Ok.

MCRORBIE: Quickly! Alex did we try to get...?

FLY: I just have a quick question about what Alex was saying. So, that's fine, send it to the Executive Committee. But, my question is, you said, but you are going to constitute a (inaudible) as possible to this proposal. But, I don't think we agreed on that yet. I think there is a...did I miss something?

R. APPLGATE: Well, we could...we can update everybody on the pros and cons from John Sejdianj's point of view, and for further discussion. And then, we are pretty much going to have to take a vote about size. I think...you know.

MCROBBIE: Ok. Without asking Alex, this is really to recite his wonderful motion again.

TANFORD: The motion is simply to refer back to the Executive Committee, trusting us to take seriously and consider everything that you've said.

MCROBBIE: That's a short version. Ok. Any further discussion?

CLOUSE: So, just to be clear, you're taking it this wording and just asking (inaudible) the size of that specific Committee, it's essentially the question at this point. And the decision.

SPANG: No.

WERT: I think what the state general question...questions of the constitution of the Committee to (inaudible) That was my...

SPANG: Back to the Executive Committee of the UFC to discuss among themselves, before we go talk to John Sejdinaj.

R. APLEGATE: Ok. Right. We could do that.

MCROBBIE: And then to have the discussion with John, obviously.

SPANG: Yep.

MCROBBIE: Cause he praised lot of...

SPANG: Yep. Yes.

MCROBBIE: Ok. Any more discussion? Any more discussion? Ok. I'll put the motion. All of us in favor signify by saying "aye".

SPEAKERS: "Aye".

MCROBBIE: Against, same sign. That is carried. Thank you Alex. Thank you Rachel too. Ok. Let's see...move to agenda item seven. The policy on Sexual Misconduct, and this is Jenny. Where is Jenny?

AGENDA ITEM 7: REVISIONS TO THE UA-03 SEXUAL MISCONDUCT AND ACA-17 FACULTY BOARDS OF REVIEW: MINIMUM STANDARDS FOR UNIFORM HEARING PROCEDURES

SPRINGSTON: Hello. Before you are a couple of documents for your consideration. And just for a (inaudible) on one page ran back that kind of walks you through the items before you do... And if you all remember back in March, we brought proposed changes, which were generally approved. Except for the one piece with regard to the Faculty Board of Review. And clarifying that that was a faculty request on any party. So, that...those revisions were not implemented. You can see those in track change in the policy, right in green. We...when faculty, UFC Faculty-Staff Subcommittee...and I do want to thank

Monica, and Alex, and (inaudible) out here, for their working with us to work through that. I don't...and then, we in addition referred to a few things that are highlighted in yellow throughout the procedures that relate to faculty and staff. Suggestions reminder the changes proposed that were approved. But, still for today in March with the modification on campus behavior, scope...that's in the general policy. And then, on the procedures, a clarification of what is contained in the record of investigation by the investigator, the access to that. Align some formatting on the Faculty Board of Review section to align with the bases for review and levels of decisions. And in the additions that are highlighted in yellow, are clarifying the Faculty Board of Review appeals has this available only to the faculty. That was aligned chronologically to follow the lower levels of appeal. A provision stand alone on provision and adversarial behavior and the hearings. Cooperation...section of reading about cooperation it's expected. Language about training consultation to...available to Faculty Board of Review members. The clarification that the procedures on campus...Faculty Board of Review procedures apply, except it's modified by this policy. Clarify is what information actually goes before the Faculty Board of Review, defines the role of advisors. And then the modification to clarify that if the Faculty Board of Review recommends determination, but the appellate official affirms something different, that...the final discrimination is made by the President. So, those are highlighted in yellow. Is there is anyone who was on the Committee could answer questions.

KINCAID: And then the other related revision is 2ACA – 17 Faculty Boards of Review Minimum Standards for Uniform Hearing Procedures, just to the scope to differ to modifications in the procedures. And policies previously passed by the UFC, Sexual Misconduct, and Research Misconduct. So, just that one line changed and... As we've done before with changes to this policy, then we've had related pieces in other policies. And this is one that made a lot of sense this times, since we went back and looked at the Faculty Boards of Review procedures.

MCRROBBIE: Ok. Alex. Yeah.

TANFORD: They cringe every time I raise my hand. I was the problem child throughout this process. And I want to say that what we produced is not going to satisfy everyone. There are people who would think it does not give enough protection or not...to victims, or does not sufficiently acknowledges the difficult psychological position they are in. There are people who would think it does not give sufficient due process to the accused. This was a terribly trying to find a common ground and a compromise, meant, those of us with...who came in with particular strong viewpoints about where...about what our Sexual Misconduct policy should be, with respect to the faculty. We are talking only about this sort of narrow Faculty Board of Review process. We had some very different ideas and we hashed them out and we compromised. And I think what we had produced is a reflection of that compromise and it's...everybody sort of gave up something and conceited and tried to move to a consensus. And just...not to suggest that...not to trying to cut off discussion or anything like that. But, you know, this is a compromise document and given the difference of viewpoints, I think it ended up as a very good...

MCRROBBIE: Ok. It's open for discussion. Lightest version. Comments? Discussion?

TANFORD: You might have done with it. The turkey trip to fun it's still working, everybody's snoozing in this group.

MCROBBIE: Any comments or questions? Anybody? Well, there being none I believe that's coming...we need...will that should come as a motion then to approve that policy. Are we going to do them...we should do them one on (inaudible), obviously. It's an action item.

TANFORD: Yep. Anything...?

MCROBBIE: So, that's probably...let's straight that all this is coming from the Committee. So, I guess I need a motion to approve those changes?

SPEAKER: So moved.

MCROBBIE: And a second? Ok. Any further discussion on the motion from anybody? Ok. No further discussion?

TANFORD: Just a question to clarify, we...there are two different policies before you to be amended.

MCROBBIE: Right!

TANFORD: One is UA-03, that's the actual Sexual Misconduct policy. The other is ACA-17, the policy on Minimum Standards for Uniform Hearing Procedures. Just for parliamentary clarity, I think we should vote separately...

MCROBBIE: It's fine.

TANFORD: ...on those two. Since the vote on the second one would be unnecessary, if for some reason the Sexual Misconduct policy is not adopted. So, I...

MCROBBIE: So, let's take that motion and just applies just to the first one then. Ok? Ok. Any further discussion on the motion that applies to UA-03. Ok? There being none, put the motion of us in favor by saying "aye".

SPEAKERS: Aye.

MCROBBIE: Against, same sign. Anybody who is abstaining at all? No abstentions. I guess, carried unanimously. Ok. Within them we move on ACA-17. Can I have a motion to approve that please?

SPEAKER: So moved.

MCROBBIE: And a second?

SPEAKERS: Second.

MCROBBIE: Ok. Any further discussion on the ACA-17? All right. There being none, let's put that motion. All of us in favor of approving signify by saying "aye".

SPEAKERS: Aye.

MCROBBIE: Against, same sign. Abstentions? That's carried. Good. Thanks. Thank you. Thank you Emily. Thank you Jenny.

SPEAKER: Thank you.

MCROBBIE: Let's move onto agenda item eight related to ACA-03. Alex, I think you are carrying this.

AGENDA ITEM 8: REVISIONS TO ACA-03 FACULTY REPRESENTATION AT INDIANA UNIVERSITY BOARD OF TRUSTEES MEETINGS

TANFORD: The...as this maybe single most trivial thing you do. As a member of the UFC, which is considered...the revisions to policy ACA-03, governing Faculty Representation at IU Board of Trustees Meeting. We had a policy...the history of which was somewhat murky. But appeared to have been enacted at the request of President Myles Brand, who negotiated with the then Board of Trustees about an increased role for faculty at Board of Trustees Meetings. Certainly, in my experience that increased role that is the faculty representatives being presumably allowed to participate in discussions with the Board about academic matters, and being allowed to attend Executive Sessions of the Board. That those two things had a recent memory never in fact been done, nor in my view does the UFC have the authority to tell the Board of Trustees who gets to attend and speak at their sessions. I just...somehow I don't think that they would...I believe that we have that process. And allowing a faculty member who is not a member of the Board of Trustees to attend an Executive Session, may very well violate Indiana law, about Executive Sessions, it's fairly complicated. So, this proposal comes to change that policy to continue to have as a policy what we do now, which is the three co-chairs, sometimes called co-secretaries for historical reasons, attend the public sessions of the Board of Trustees Meeting. We sit at the kids table, next to them like in a Thanksgiving analogy, and we have a position on the agenda in the business meeting where we get to bring faculty concerns, say what's going on in our campuses, talk about what's going on with UFC. We have a place on the agenda. This takes that current practice, puts that in as the substance of the policy and then adds two things. One is, it says that since we get a fairly detailed version of the agenda of the Board of Trustees, is published on their website. We can review that. And it charges us as co-chairs if we see something on the agenda that seems to directly impact academic affairs at the university. It says, we can make a request that we be allowed to address that session. I talked to Debbie Lemon, who thought that would be no problem to use that procedure rather than...and she was sort of neutral. But, she thought it...if it was something particularly, I don't know, the faculty...the Board of Trustees might really like to hear from one of us. So, it gives us stability to sort of request that, which is backing off from the earlier policy, which seems to say we have a right to do it. And the second thing is that it asks the President from time to time to do what Myles Brand did. And is discussed from time to time, with the Board of Trustees what the appropriate role of the faculty representatives are. The Board of Trustees turns over from time to time, times change, laws change...you may get a Board of Trustees that for some reason...and one kind of an ex officio faculty member to be involved in some of the discussions. To preserve that, it simply asks the President from time to time, to raise it with the Board of Trustees about what the appropriate role of the faculty is. So, those are the...that's the nature of the change. And this comes from the Executive Committee.

MCROBBIE: So, it doesn't...

TANFORD: Does not need a second.

MCROBBIE: Right. Any discussion? Yes, Rebecca.

SPANG: Tiny bit of line editing, which I thought I had pointed out earlier. Under b, it says, Board of...time to time the President shall discuss with the Board of Trustees the advisability of the senior co-chair of the University Faculty Council. But, we no longer have a senior co-chair, so you might want to change that to say, the advisability of the co-chairs or a co-chair.

R. APPLGATE: A co-chair will probably be the most flexible language.

TANFORD: Yeah.

SPANG: One or more co-chairs?

R. APPLGATE: Yep.

SPANG: But it needs to be altered, because we do not have senior co-chair.

TANFORD: Yeah. I think, I...a co-chair.

R. APPLGATE: Simple.

TANFORD: Simple. Doesn't include more than one.

MCROBBIE: Yeah.

K. SMITH: So, part of the logic of the revision is that faculty should have presumed to dictate to the Trustees. Right?

TANFORD: Right. Not only should not presume, but lack the legal authority to do so.

K. SMITH: But, the Trustees approve the current policy in 2002.

MCROBBIE: No. They didn't. It turned, pretty certainly...

TANFORD: We looked into that, and it is...there's no record that the Board of Trustees approved it. There's a letter from Myles Brand in the file to the Board of Trustees requesting this. And no record that it was ever actually approved in the way the Board of Trustees approved this policies.

K. SMITH: It's...there's a date given on the policy itself on the IU website for a Trustees approval.

TANFORD: It...when you did that, yes. That turns out to be un-documentable when you look to find something in the minutes of the Board of Trustees Meetings that approve this policy. It doesn't exist. It appears to be an informal agreement between the Board of Trustees and Myles Brand. As far as I could tell and the other folks that tried to find...

K. SMITH: Thank you.

MCRORBIE: John?

J. APPLGATE: And just kind of orthogonal to that. We would probably...Alex's digging around a number of policies and sort of bringing them up to date, which is a good thing. We will probably see more of that. The...for those of us who remember the faculty handbook, the big red book, it was a combination of things that were policies that were practices. They were labeled in some cases in different ways and not always accurate. When we pulled all that stuff over into the new policy website, we did it with almost no change. Because the deal was to pull it into a new form, not to change it, which would require action of this group or the Trustees or whoever. So, every time it seems like...every time we dig into a policy and its source it's...you run into confusions like that. So, I think you'll probably see more things like that. There's also a fair amount of confusion in them between Bloomington campus things and university things that we would run into. So, that's the explanation.

MCRORBIE: Other comments? We have a motion in front of us. Other comments on this proposed changes? Other comments? Ok. There being none, I'm going to put that motion. All of those in favor, all approving it signify by saying "aye".

SPEAKERS: Aye.

MCRORBIE: Again, same sign. That is carried. Thank you Alex. We've got one last item, which...agenda item among establishing an Ad Hoc Committee to consider revisions. Do I see ACA- 09 such as screen for administrators? And that's Alex too.

AGENDA ITEM 9: ESTABLISHING AN AD-HOC COMMITTEE TO CONSIDER REVISIONS TO ACA-09 SEARCH AND SCREEN FOR ADMINISTRATORS

TANFORD: The discussions that President McRobbie and I had about the, you know, finding a new Vice President for International Affairs, caused me after some thought, to wonder if we have a policy on search and screen for senior administrators. I went again digging into this sort of black hole policies, and found that we did have one. Was easy to find. That had last been looked at in 1987. That's thirty years ago. It is my feeling, having been involved in the...sort of the search for the regionally and the CFO, and now search for a new Vice President for International Affairs. That, some of the assumptions on which we created, you know, this policy...a former UFC created this policy or revised it in eighty-seven. Some of those assumptions about the use of search firms about confidentiality, about the various portfolio responsibilities that fall within each Vice President's fear, and how much of those directly impact the academic mission of the university, and how much of those are just administrative, and all those kind of things. That, it just been a long time since we looked at that. And so, this proposal is to approve an Ad Hoc Committee to consider necessarily to enact. But to consider whether revisions to the search and screen policy need to be made. When this was discussed at the UFC Executive Committee meeting, the three volunteers were Jenny Kincaid, and me, and Mark Mendonca. And...we would...if anybody else would like to be on this Committee, I think as long as it doesn't get to be twenty people, we would certainly welcome it.

MENDONCA: It's going to be a party.

TANFORD: We'll come up here, and go to the Slippery Noodle or something and work on this. And so, the idea of the proposal before usage, you authorize an Ad Hoc Committee to look at it and bring a concrete proposal of some kind. And the proposal could be, do nothing or make some changes. And they bring that proposal first to the UFC, sort of to discuss. And then, when it gets approved, bring it to this body at the February meeting. The...and that's the proposed, you know, the Executive Committee has already authorized that, which means you would have to make some kind of motion to override what we did. And I...so, what I really want is a discussion of what I cribbed out of the Bloomington, mostly out of the Bloomington proposal, which we revised just recently on this list of six principles. What are the principles that should guide our redraft of the Search and Screen Policy? And...and here they are, that the policy should address, you know, one of this is, who is on this category? When the...in 1987, when it passed, we did not have at that point a thing like a university graduate school. There are new cross campus multi campus kinds of units, that have come into existence since this time. The medical school is opening a facility down in Bloomington. Most of us though that it will freeze over before we would see that. So, there...

MCROBBIE: Actually, there's always been that way.

SPANG: There's always been.

TANFORD: There's always been a bigger one. Bigger one. And so, the first principle was sort of who would (inaudible)...university vice presidency campus CEOs, deans of multi-campus units, and that's it. The current policy propose to regulate the Trustees search for a new President. I thought probably we should drop that provision, you know, that's not within our purview. So, that's...first question is, who should I reply to? Secondly, obviously the principal that all searches need to have faculty involvement. The question then only becomes, how much? So, no matter if you are searching, you know, the new vice president at a general council for example, versus...have nothing to do with a day to day academic aspect of the university. Still there should be some faculty involvement in all of these searches. That...then...sort of...if you look at sort of what I thought with this principals for searches, who you search for? That if it's a vice president position that directly involves the core academic mission. For example, the Executive Vice Presidency for Academic Affairs. That's an academic vice presidency. There should be substantial or even majority faculty role on that Search and Screen Committee. Then, that reduces as you get VP positions that indirectly affect core mission such as International Affairs, DEMA, Information Technology, that we need substantial faculty involvement in the community, but not necessarily a majority. And we get down to Facilities Engagement Government Relations General Council and things like that. You need some faculty role, but not necessarily even a significant amount. So that, the idea that the role of the faculty will vary by the vice presidencies direct connection to the faculty. Obviously, the deans of schools, the Dean of SPEA for example, was...be clearly folded to the number one category. Then, this question...the next question was sort of which faculty? And so, that gives into four...the campus chancellors and provosts...that that search is involved the Faculty Council of that campus. Seems relatively obvious. Searches for deans of multi-campus units, involves...is between the administration and the Faculty Council of the campus where that school reports. So, if it's the...this is the discussion I want to have. So, that if it is the, you know, the Dean of the business...the Kelley School, that...the majority representations is Bloomington. If it's the Dean of the medical school, the majority representation is IUPUI. Then the follow up is, there must be at least some representation from the other

campuses effective. But, you need a body, an Executive Committee...a...to be the primary contact person for the administration doing these searches. And, those were sort of the...what I was proposing was the base principals to guide the revision of this policy. And I was hoping for some discussion on what kind of principals you all thought should guide the revision of the Search and Screen policy.

MCRORBIE: Discussion? Yes, Rachel.

R. APPLGATE: For number five, it has worked ok in the past when there's core schools who simply involve Faculty Council's campuses. It was not an extra hoop or anything. I...let me quote the search firm person for the Informatics Search Research... Oh! Yes, you were involved in the search for the Bloomington Dean of Informatics. And I said, no, that wasn't the Bloomington Dean for Informatics, that was a core school team. So, it's...I think it's unnecessary to limited to the Faculty Council on primary location. One of the concerns we have system-wide is minority representation. We don't want to hamper that one. Are you saying that this...what happens on the next two pages was what ...?

TANFORD: That's the existing...that's just a remain of the existing policy.

R. APPLGATE: Ok.

MCRORBIE: I think in practice...for memory, since I've been President anyway. I think all searches for core school deans have involved both campuses...

R. APPLGATE: Yes.

MCRORBIE: ...and then relevant councils of regionals too.

R. APPLGATE: Yeah.

MCRORBIE: So, that's been the practice. Which I think is the right practice.

TANFORD: It has all been working...See, what I...my colleagues, for example with the need for particular speed...I thought with the other (inaudible) that the...what...do you think that's workable if it goes to both Faculty Councils?

MCRORBIE: Well, I think the question about going through the...how I realize that the Faculty Council needs to be thought about. But, that the Search and Screen Committee should contain members of both campuses or all campuses involved in a core school. I think it should be definitely the case, in which case I think it works backward from that. It's the best to do that. Again, bear in mind speed. I do think that's very relevant.

R. APPLGATE: Since the two campuses can work simultaneously on picking numbers. I don't see that it's going to add any more time than going to one council. And I don't think...when you are doing a full dean search, you know, you have the normal academic schedule, you know, which is very long anyway. So, I don't think that that particularly would screw with the timeline too much.

J. APPLGATE: Alex? Sorry. The...as you look through these, I hope that you all talked to the chairs of a number of recent searches. One thing that, when we talked about this, you mentioned was the change in environment in terms of how searches are public and at what stage is and so on. IU is pretty traditional about this. Any time you start one of these searches, the search for...well, you know, cautions you that, you know, if this is a regular public searcher, you'll lose all these candidates and so on. And we've tended to be pretty, you know, pretty traditional in that way. But, it would be...I think worth just talking. I'm not sure I would...well, I don't take those statements from search forums, absolutely false value, but the chairs who had to work through this have had to figure that out and would be a great resource.

TANFORD: Let me clarify. One of the reasons that Jenny Kincaid is on this, is to bring to this discussion the administrative needs. All I was suggesting is what other, you know, what other particular sort of faculty...this could simply be, what does this body want me to advocate for on behalf of faculty? And my guess is the faculty are sort of neutral on the administrative pros and cons of various things. And that, we are, in fact, depending on Jenny to be our conduit to prior searches to bring us the pragmatic and practical side of...

J. APPLGATE: Well, though I think, you know, the role of search firms in many cases has, you know, is quite substantial. So, I think you really want to think about that. Cause, it has an effect on (inaudible).

TANFORD: I didn't mean to exclude that. It's just...

J. APPLGATE: Right.

TANFORD: That's part of...that will be part of the process, yes.

MICROBBIE: Further discussion on this? Yes.

MARSH: It always lies...one other things that made me think an Ad Hoc Committee could consider putting in, is a recommendation as to....a very specific recommendation as to whether or not searches should normally include an open meeting for finalists.

HENSHEL: Isn't that the tradition in the past?

SPANG: Yeah.

HENSHEL: I seem to recall.

MARSH: It may be a tradition, but I am not sure. I'm not going to say anything in the policy that...traditions can change.

HENSHEL: Ok. That's good.

TANFORD: There would...any...there would... Right. The open...it's in the Bloomington policy that must be sort of open sessions involving one or more finalists that faculty can attend in some way and provide feedback in...ok. And there was...and we also wrote a new requirement that every job description must contain, that preferences given to people with traditional university experience that...coming into it. At

the university VP level, you know, if you are talking about the Vice President and General Council, it's not clear whether these things need to be universal principles. But, they should be on the list for discussion as to...for example, looking for deans, yes. Looking for a CFO, I'm not sure. But, that's something we've been discussed. What else have people from the units found useful in a search?

MCRORBIE: Yeah.

ZINNER: One thing that I think it's been helpful in our university for (unintelligible) Search last year. The Chancellor came to me, the President, and just asked for a list of five faculty names. So, there's a broad perception of fairness. Because, he's not selecting them. He is asking for the list from me.

TANFORD: For members?

ZINNER: To serve on that Subcommittee, yes.

MCRORBIE: To choose from or...?

R. APPLGATE: Yes.

ZINNER: Oh no! All five served.

MCRORBIE: Well that policy varies too. Some policies are...allow you to choose whoever the presiding person is to choose from that list. It's given by them...relevant faculty council.

TANFORD: Yeah. The...

MCRORBIE: But anyway, since little thing you consider.

TANFORD: Yeah. Well, we had done this...the different version, which is, we give him twice as many names...

ZINNER: And he picks.

TANFORD: And he picks because, we might put on the list two people who we think would be great on the Search Committee. And they are so great that they are being considered as inside candidates, for example. So, that presents an awkward situation. But yeah, that's...

MCRORBIE: Other discussion? Yes.

HENSHEL: Yeah. I wonder whether any part of this policy should specify how many people from within that unit, if it's a unit based position, should be representatives as a proportion of the total Committee. Cause, I think I've seen that vary and...

MCRORBIE: This is like for five deans of units?

HENSHEL: For deans of units, yeah. So, I'm not specifying. I'm just saying that I think that needs to be considered and included.

TANFORD: Yeah. I've seen it in policies. Yeah.

MCRORBIE: Other comments? Other comments? Ok. Let's see. Where this comes from, the Exec Committee?

R. APPLGATE: No I think...

TANFORD: This is just a discussion item.

MCRORBIE: Sorry, Rachel were you...

R. APPLGATE: It's not a motion. I don't think so.

MCRORBIE: Ok, but we need a motion I think, to move forward then.

TANFORD: No. I don't...the bylaws allow the UFC Executive Committee to make decisions like this, inform the body, and the body has the opportunity to tell us no. Or otherwise it does not...

MCRORBIE: Ok. Ok. All right. Ok. Anybody telling Alex no?

TANFORD: And if so, you can do it yourself.

HENSHEL: So, once again I'm asking you, could you...before you guys make a final decision, provide...allow us to provide feedback again? So, that just one more email loop.

TANFORD: Yes.

HENSHEL: Thanks.

MCRORBIE: Other comments? Anything else? So, I think you've got the go ahead to move ahead with this.

TANFORD: Yep.

MCRORBIE: Ok. All right. And with that we are adjourned. Thank you very much.

MEETING ADJOURNED AT 3:13PM