

**ACADEMIC COUNCIL  
UNIVERSITY OF NOTRE DAME  
MEETING OF APRIL 19, 2007**

**Members Present:** Rev. John I. Jenkins, C.S.C., Thomas G. Burish, Dennis Jacobs, Jean Ann Linney, Chris Maziar, Steven Buechler, Brian Claassen, Rev. Austin Collins, C.S.C., James Collins, Tom Cosimano, Mary Rose D'Angelo, Ken DeBoer, Stephen Fallon, Umesh Garg, Nasir Ghiaseddin, Graham Hammill, Chris Harris, Tara Johnson, Kelly Jordan, Tom Lamontagne, Michael Lykoudis, Joseph Marino, Stephen Molvarec, Patrick Murren, Robert Nelson, Patricia O'Hara, Hugh Page, Maura Ryan, Valerie Sayers, Susan Guise Sheridan, Richard Taylor, Scott Van Jacob, Jennifer Warlick, Bill Westfall

**Members Absent:** Panos Antsaklis, Neil Delaney, Nicole Garnett

**Members Excused:** John Affleck-Graves, Rev. Mark Poorman, C.S.C., Don Pope-Davis, Seth Brown, Mike Etzel, Michael Jenuwine, Colin Jessop, James McAdams, Jim Merz, Ram Ramanan, Mark Roche, Scott Van Jacob, Carolyn Woo, Jennifer Younger

**Observers Present:** Kevin Barry, Mary Hendriksen, Harold Pace, Dan Saracino, Greg Sterling, Don Wycliff

**Observers Absent:**

**Observers Excused:** Capt. Mike Neller, Brandon Roach

**Guests:** Thomas Kelly, Dept. Chair, Physical Education

After calling the meeting to order at 3:05 p.m., the Rev. John Jenkins, C.S.C., offered a prayer for the victims of the shootings at Virginia Tech.

**1. Approval of the minutes of the meeting of January 24, 2006:** Members approved the minutes of the meeting of January 24, 2006, without change.

**2. Name change for the “Department of Physical Education” to the “Department of Physical Education and Wellness Instruction”:** Fr. Jenkins introduced the first item on the agenda: a proposal to change the name of the Department of Physical Education to the *Department of Physical Education and Wellness Instruction*. He noted that the Executive Committee has voted in favor of the proposed change.

There was some discussion from members regarding the necessity of the word “instruction” in the department’s name. Dr. Kelly, chair of the Department of Physical Education, explained that while this was a question considered within the department, members felt it important that neither they nor other sectors of the University think that they are the campus “Department of Wellness.” Rather, the department engages in

wellness *instruction* and helps to construct a framework for students so that they can make choices for a healthy lifestyle.

Fr. Jenkins called for a vote on the proposal to change the name of the Department of Physical Education to the Department of Physical Education and Wellness Instruction. Members approved the change unanimously.

**3. Report from the Working Group on the Revisions of the *Academic Articles*:** Fr. Jenkins explained that last October, Provost Tom Burish appointed a working group to review and update the *Academic Articles*. Members of the working group are: Prof. Linney from the Provost's Office, Prof. Ryan from the Academic Council, Prof. Charles Barber from the Faculty Senate, and Carol Kaesebier and Jill Bodensteiner from the General Counsel's Office.

Profs. Linney and Ryan then described the process used by the working group and some of its recommendations. First, Prof. Ryan explained, general comments on necessary changes were solicited from the campus community. In some cases, specific comments and concerns were asked of particular groups—library faculty, for example, on issues pertaining to the library. The working group tried to incorporate the concerns of these specific groups as they proceeded carefully through the *Articles*. Throughout, their task was to identify their own concerns, any inconsistent provisions, and areas in which the *Articles* no longer reflect current practice at the University. In addition, working group members recommended some new procedures and practices. They sent drafts of a revised *Academic Articles* to the Faculty Senate, the Faculty Affairs Committee of this body, and all college deans, with the request that the deans solicit feedback from their faculty in whatever ways they deemed appropriate. All comments on the proposed changes and any additional revisions are to be returned to the working group by September 30 of the 2007-08 academic year. The working group will then incorporate those suggestions and concerns into a new draft, with a goal of presenting a next revision to the executive committee of the Academic Council in October. Then, a revised document can be presented to the Council in November and December. Ultimate approval must come from the Board of Trustees.

Prof. Linney explained that the current draft of the revised *Academic Articles* contains numerous small changes. Many of them are part of a packet of changes that came from the General Counsel's office—collected by Ms. Kaesebier and Ms. Bodensteiner working through the *Articles* line by line and identifying provisions that were inconsistent or difficult to interpret. One example, Prof. Linney pointed out, is the definition of the term “faculty.” Any Council member reading the *Articles* might note that, throughout, there are references to “the faculty;” yet, it is often not clear whether the reference is to teaching-and-research faculty alone or to all members of the regular faculty—and thus meant to include library, special professional, and research faculty. The task of committee members in this area and many others was to “clean up” the language of the *Articles*.

Prof. Linney went on to highlight some of the more substantive changes proposed by the working group:

- Definition of the term “special professional faculty” to include a designation as either *clinical* faculty or *teaching* faculty, as appropriate;
- Recommendations for timetables for some actions, particularly those related to faculty appeals and grievances;
- Elimination of some titles within the library faculty and modification of certain expectations for library faculty; also, recognition of the law library as a distinct entity that operates in collaboration with the Hesburgh Library but follows some slightly different procedures;
- Re-classification of certain administrative titles;
- For each type of faculty, clarification of the procedures for appointment, reappointment, and promotion;
- Clarification of the appointment process for endowed chairs.
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Also, Prof. Linney noted, there has been serious concern on campus about the appeals process for non-reappointment. The Provost has asked the committee to undertake a benchmarking study of other universities and to make a recommendation for revisions needed to clarify the appeals process. With the current timeline of presenting changes to the Academic Council in the fall of 2007, she expects that proposed new procedures can be incorporated into the next revision of the *Articles*.

Finally, Prof. Linney said, the changes proposed by the committee will be posted on the Provost’s Web site for the entire University community to review. Comments can be submitted to the college deans or to any member of the working group.

Fr. Jenkins thanked the committee members for their painstaking and difficult work.

**4. Recommendation to eliminate the One-of-a-Kind (OAK) doctoral degree program.** Prof. Garg, liaison from the Academic Council to the Graduate Council, explained that the One-of-a-Kind (OAK) program was created several years ago to allow faculty in non-Ph.D.-granting departments to act as advisors and mentors to Ph.D. students and to direct dissertations. The program was designed for truly exceptional students who already had a master’s degree from another institution and who wished to earn their Ph.D. by working with a particular Notre Dame faculty member in a department that does not have a Ph.D. program—for example, Romance Languages and Literatures. Since 1996, only one student has been admitted to the OAK program, and that student eventually left the University without earning a Ph.D. Thus, by an overwhelming majority, the Graduate Council voted to abolish the program.

Seeing no comment or discussion, Fr. Jenkins called for a vote on the proposal to eliminate the OAK program. Members voted their unanimous approval.

## 5. Committee reports:

**(a) Undergraduate Affairs Committee:** Prof. Sayers reported that throughout the year, committee members worked on one of two subcommittees—either a subcommittee focused on grade validity or another on faculty-to-student relationships. Members of the first subcommittee decided that the problem of grade validity needed further study and began by investigating whether there had been an increase in the number of late drops at Notre Dame. The hypothesis suggested by a few members was that, increasingly, students who are performing poorly in a course drop it late in the term rather than continuing on and receiving a poor grade. If true, this would tend to remove the lower part of the grade distribution and result in an apparent increase in students' grade point average. The Registrar prepared a detailed report on the phenomenon over the past two years. Due to the transition to the Banner system, however, subcommittee members were unable to retrieve data prior to the Year 2000. Thus, a long-term trend cannot be confirmed. Prof. Sayers noted that the subcommittee decided not to survey faculty on what pressures they experience when assigning grades to students. She added that Prof. Stuart Greene has been meeting with the dean of undergraduate studies in the College of Arts and Letters as well as with each department to share data on the trend of rising average grades and to discuss potential ways to curb it. At this time, the subcommittee has no specific proposal to submit to the full Academic Council.

As for the subcommittee on faculty-to-undergraduate student relations, Prof. Sayers said, its members have been focused on the idea of mentorship. They feel that it has tremendous implications for students' sense of personal and intellectual connectedness in the University and for the University's goal of increasing the number of students who are considering graduate school or applying for postgraduate fellowships. Subcommittee members' first step was to design a survey asking faculty and students whether they have had the opportunity to mentor or to be mentored, and, if so, how that relationship arose. Given the end of the year crunch in Institutional Research, subcommittee members were not able to administer the survey this spring but plan to do so in the fall. In the meantime, they are gathering more informal data on mentorship from students by way of focus groups.

Prof. O'Hara asked what the data on late drops revealed.

Prof. Jacobs answered that there is a large difference in the drop rates in the fall and the spring, with the rates being higher in the fall term. If one compares, say, fall 2005 to fall 2006, there was a five percent increase in the drop rate over one year; however, whether that increase is significant is not clear. It is necessary to analyze the long-term data to confirm whether it is a trend.

Prof. Maziar asked Prof. Jacobs whether the subcommittee was able to develop data that show what the average course load is for students before the drop deadline and then after it. She pointed out that there is a difference in students over-enrolling in

courses—commonly called “shopping” courses—and students dropping courses in which they are not doing well.

Prof. Jacobs answered that the report does not reveal that level of detail. In answer to a question from Prof. Garg, he added that the subcommittee may not be able to retrieve data easily from the pre-Banner system. With Banner, though, this kind of information will be easy to track in future years.

Dr. Pace confirmed that identifying the *date* of course drops is the piece of information that did not carry over from one system to the other.

There being no further business, Fr. Jenkins adjourned the meeting at 3:35 p.m.