

UNIVERSITY COMMITTEE ON WOMEN FACULTY AND STUDENTS

Wednesday, November 4, 2015

11:00 a.m. – 12:00 p.m.

500 Main Building

University of Notre Dame

**Voting Members present:** Tom Anderson; Laura Carlson; Sara Dugan; Sandra Gustafson; Ray'Von Jones; Jennifer Mason McAward; Nicole McNeil; Kathie Newman; Catherine Perry; Samantha Salden; Ann Tenbrunsel

**Non-Voting Members present:** Kathy Brickley; Sharon Keane; Ava Preacher

**Members excused or absent:** Kevin Barry; Shanna Corner; Todd Dvorak; Christine Caron Gebhardt; Ian Kujit; Karrah Miller; Monica Moore; Sayanty Roy; Elaine Zhu

**Recorder:** Demetra C. Schoenig, Office of the Provost

---

**Welcome and Approval of Minutes:** Laura Carlson opened the meeting and welcomed the committee members. Also present at the meeting was Maura Ryan, Vice President and Associate Provost for Faculty Affairs.

Laura invited a motion to approve the minutes of the UCWFS meeting of May 6, 2015. A motion was made, duly seconded, and the minutes were approved on a voice vote. Laura then invited a motion to approve the minutes of September 11, 2015. A motion was made, seconded, and the Committee approved the September minutes on a voice vote.

**Election of Chair for 2015-16:** Laura Carlson noted that the Committee had not yet formally elected a Chair for 2015-16. She invited members to self-nominate or nominate others. Laura was nominated and a motion was made to elect her Chair. The motion was seconded and she was elected chair on a voice vote.

**Mapother Lunch Participants:** Each year, the Provost invites women faculty to lunch as part of the Mapother Lunch Series, the result of gift to the university with the goal of encouraging communication among faculty and administration. The Provost, Tom Burish, holds two lunches each semester. Members of the Committee had submitted nominations, and Demetra Schoenig reported that the following faculty had already or would join Dr. Burish for lunch during the 2015-16 academic year: Martina Bukac of ACMS; Laura Miller of Psychology; Kathy Cummings of American Studies; Hope Hollocher of Biological Sciences; Anna Simon of Physics; Amy Langenkamp, of Sociology; Laura Knoppers of English; and Abigail Wozniak of Economics.

**Committee Topics for the Year:** Laura Carlson shared an updated document (attached) with proposed topics and themes for the coming academic year. The overarching themes reflect those discussed in the Committee Meeting of April 7, 2015 and subsequent discussion at the meeting of September 11, 2015.

She noted that a group of women administrators and faculty members, along with partners in Human Resources, were developing an affinity group for women faculty and staff on campus, and that their next gathering would be held on Monday, November 16 from 4:30 to 6:30 p.m. at the Eck Center. She extended an invitation to interested members of the UCWFS, and encouraged them to also spread the word to others who might be interested.

Laura then described three working groups for the current academic year: an Event Working Group that would determine the concept for a signature UCWFS-sponsored networking event to be held in the spring semester for which Laura's office would coordinate the logistics; a Lecture Working Group that would examine the current structure of the Provost's Distinguished Lecture Series and make recommendations for a new approach that would encourage women lecturers in venues across the University; and a Reward Working Group that would look into the current reward structures that are used to encourage faculty to

take on administrative roles, consider whether these structures appeal to men and women differently, and consider additional options. Laura and Demetra circulated sign-up sheets, and members chose the working group that most appealed to each of them.

The group briefly discussed the Working Group charges and other open items for the year, including an update that Maura Ryan would give in January on policies related to nonacademic leaves and benefits, and a report on initiatives related to the Faculty Experience Survey. Laura encouraged committee members to communicate with Maura in the coming weeks regarding any specific questions they would like her to include in the January discussion related to leaves and benefits.

### **Proposed Consolidated Appeal Procedure for Reappointment, Promotion, and Tenure Decisions:**

Laura noted that representatives of the Faculty Affairs committee of Academic Council had visited UCWFS at its May 2015 meeting to request the input of the UCWFS on the proposed consolidation of the Faculty Reappointment, Promotion and Tenure Appeal Procedure and the Appendix A Appeal Procedure.

At the May meeting, Dan Myers, then Associate Provost for Faculty Affairs, and Michael Desch, chair of the Faculty Affairs Committee of the Academic Council, with documentation provided by Associate General Counsel Kathy Brickley, provided the background as to how the University ended up with two different appeal procedures, and the issues, confusion and concerns raised by faculty members arising out of having two different procedures. This had resulted in the provost's decision to attempt to address the concerns by preparing a consolidated appeal procedure that would preserve the perceived benefits of bringing an appeal under the Appendix A procedure in the case of a sex discrimination claim, ensure that an appeal would be judged by a committee of faculty peers, eliminate confusion in administration of the appeal procedures, reduce the burden on the faculty called upon to serve as appeal reviewers, and maintain the robustness of remedies allowed by the general appeal procedure. The floor was then open to the UCWFS to ask questions, make comments and articulate concerns regarding the proposed consolidated appeal procedure. A discussion ensued and various members of the UCWFS made a number of suggestions for revisions to the proposed consolidated procedure, as follows:

- A) Modify the standard of review to be preponderance of the evidence, which is the same standard used by Office of Civil Rights and the courts in civil cases;
- B) Reduce the number of days to conclude an appeal in the case of SPF's in order to lessen the incidence of an appeal still being open when the SPF 's contract terminates;
- C) Build in extra time for an SPF to submit an appeal if the deadline falls around the Christmas break in order to having to focus energy on this work issue during a time that is intended to be focused on family; and
- D) Consider adding sexual orientation as an explicit category of discrimination on which an appeal could be brought. Dan indicated that if this issue was brought to him, he would advise the candidate to appeal on the basis of personal bias, as sexual orientation is not currently a protected category under the federal discrimination laws.

This discussion closed at the May UCWFS meeting with the members of UCWFS indicating that they would take the issue back to their various constituencies and provide any further input directly to the Faculty Affairs Committee Chair or the Associate Provost Dan Myers.

Kathy Brickley returned to the UCWFS November 6, 2015 meeting to provide an update to UCWFS as to how the Faculty Affairs Committee of the Academic Council had dealt with the UCWFS suggestions made at its May 2015 meeting. She noted that the Faculty Affairs Committee met on May 12, 2015, after the UCWFS meeting to consider the suggestions raised by UCWFS on May 6, 2015. Significant consideration of each suggestion occurred and the following decisions were made by Faculty Affairs with respect to the suggestions:

- A) The standard of review was modified to be a preponderance of the evidence (also described as more likely than not, or 51% ) in all appeals.

B) And C) Both of these issues were considered, they were both recognized as making valid points, and yet it was recognized that they competed with each other. Ultimately, after extensive discussion, it was decided to keep the deadlines in the proposed procedure the same as proposed.

D) The issue of adding sexual orientation as an explicit category of discrimination upon which an appeal could be based generated significant discussion. Kathy noted that personal bias is the existing path by which a faculty member could appeal an adverse decision based on sexual orientation or gender identity. Personal bias is defined as “consideration of factors unrelated to the performance of the appellant in carrying out his or her professional responsibilities, or improper and unprofessional consideration of relevant factors, demonstrating a lack of objectivity or impartiality.” A discussion ensued about how a potential appellant would be aware of the various reasons that could be used in an appeal, particularly in a difficult area such as personal bias. At the May meeting, Dan had indicated that if a person presented with this type of concern, he would advise the individual to file under the personal bias category. Ultimately, the Faculty Affairs Committee felt that the issue was one that deserved consideration in a larger context and was one that should be brought up by faculty for further and broader discussion by faculty with the Academic Council. The decision on whether to add this as a category of discrimination upon which to bring an appeal was deferred, as the Faculty Affairs Committee did not believe it would be productive to add this to one policy without addressing the question in a larger context.

This completed the presentation of the recap of what Faculty Affairs Committee had done with UCWFS suggestions. A member of the UCWFS suggested that department chairs, deans, and other administrators be given additional guidance regarding how to counsel a faculty member who is concerned that his or her sexual orientation may have played a part in a negative decision in a case, so that they could be helpful and consistent in providing counsel to faculty members.

Laura Carlson described the next steps for the proposed consolidated appeal procedure: finalization and approval by the Faculty Affairs Committee of the Academic Council, discussion and approval by the Academic Council, approval by the President, and final approval by the Board of Trustees. Laura asked UCWFS committee members to provide the UCWFS’ opinion on the proposed consolidated appeal procedure so that the Faculty Affairs Committee would have the benefit of this Committee’s thoughts. The UCWFS members present advised that they all agreed with the proposed consolidated appeal procedure.

**National Science Foundation Advance Grant Proposal:** Laura Carlson shared information about a letter of intent that had recently been sent to the National Science Foundation(NSF) for a grant that would fund a proposal that is being led four Co-PI’s: Laura Carlson (Arts and Letters), Patrick Flynn (Engineering), Ken Henderson (Science), and Tim Judge (Mendoza College of Business). Maura Ryan will also be a critical member of the project personnel, as, if the grant is funded, her office would be responsible for overseeing the implementation of the proposed interventions. Additionally, Notre Dame will partner with the National Center for Faculty Development and Diversity to develop materials and advice on university-based practices and processes.

Laura described the proposal as developing a Strategic Model for Pivot Point Interventions that would transform women’s success in STEM fields and translate beneficial interventions into programming that could be utilized across the University. The intervention model targets individual faculty members at key points in their careers, through goal-setting and time-management programs. It also aims to address the larger climate through programming designed to train department chairs, deans, and other administrators in facilitating mentoring and networking programs; facilitating resource allocations and protections from service; and rewarding faculty members through meaningful recognition and opportunities. Laura noted that she would share additional information about the proposal with the committee at the UCWFS meeting in February.

There being no further business, the meeting was adjourned at 12:00 p.m.

**2015-2016 - Themes for Further Investigation and Advocacy**

**Promotion of leadership and networking opportunities for women**

- NDWomen Connect On Campus
  - a. Networking event: MONDAY NOVEMBER 16, 4:30 – 6:30, ECK CENTER
  - b. 3 committees: Mentoring; Networking & Prof Dev; Outreach
- Advance Grant (presentation from Carlson– UCWFS 11/4/2015)
- UCWFS-sponsored Networking Event (Event Working Group)
- Provost Distinguished Women’s Lecture Series Evaluation (Lecture Working Group)

**Examination of policies related to nonacademic leave and benefits**

- Presentation from Ryan at January meeting
  - Please send Maura any specific questions/requests

**Investigation of service responsibilities, expectations and reward structures**

- Reward Working Group – Reward structures
  - What reward structures are in use for administrative roles?
  - Do current structures appeal to men and women differently?
  - Are there additional options that may be considered?

**Other open issues:**

- Best practices handbook for speaker series and award nomination committees [Director, Academic Diversity and Inclusion; Laura/Demetra]
- Nominate members for SEED program for 2016-2017

**Agenda for Upcoming Meetings**

November 4: Present ADVANCE grant proposal idea for comment and discussion

November 16: Working Group Meetings (Event, Reward, Lecture)

December 4: Proposal for a UCWFS-sponsored event  
Led by Event Working Group

January: Update by Ryan on policies related to nonacademic leaves/benefits

February: Presentation of the ADVANCE grant proposal  
Report on other initiatives related to the Faculty Experience Survey

March: Discussion of proposal for Provost Distinguished Lecture Series  
Led by Lecture Working Group

April: Discussion of reward report  
Led by Reward Working Group

May: Best practices handbook presentation  
Set themes and projects for 2016-2017