

**ACADEMIC COUNCIL
MEETING of April 15, 2015
McKenna Auditorium
3:30 p.m. – 5:00 p.m.**

Members present: Panos Antsaklis, Katie Jo Baumgardner, Cindy Bergeman, Sunny Boyd, Laura Carlson, Joanne DellaNeva, Michael Desch, Meredith Doellman, Kevin Dreyer, Nick Entrikin, Michael Ferdig, John Gaski, Nasir Ghiaseddin, Erin Hoffmann Harding, Michael Lykoudis, Chris Maziar, John McGreevy, Elizabeth Moore, Nell Newton, Hugh Page, Ramachandran Ramanan, Jeanne Romero-Severson, Laura Sill, Alain Toumayan, Katie Wood

Members excused: John Affleck-Graves, Scott Appleby, Christine Becker, Bob Bernhard, Thomas Burish, Peter Burns, Greg Crawford, Dennis Doordan, Matthew Greene, Roger Huang, Rev. John Jenkins, C.S.C., Peter Kilpatrick, Michelle Lacouture, Matthew Leevy, Marya Lieberman, Shuyang Li, Jose Limon, Louis MacKenzie, Paul McDowell, Paul McGinn, James McKenna, Maria McKenna, Dan Myers, Robert Norton, Maria Rosa Olivera-Williams, Carter Snead, Diane Parr Walker

Observers present: Kevin Barry, Mary Hendriksen, Earl Carter, Jim Morrison, Dale Nees, Tracey Thomas

Guests: Barb Davey, Office of Risk Management; Brandon Roach, General Counsel's Office

1. Welcome and opening prayer: Prof. Laura Carlson opened the meeting at 3:30 p.m. and gave the opening prayer in honor of faculty member Catherine Pieronek, whose unexpected death this past week represents a great loss to the University community.

2. Approval of the minutes of February 26, 2015: Approval of the minutes of the meeting of February 26, 2015 was postponed until the May 12th meeting due to lack of a quorum.

3. Protection of Children Policy: Adoption of a Policy Statement by the Academic Council

Prof. Michael Desch, chair of the Faculty Affairs Committee, presented two documents to the Council related to the protection of children:

- A proposed policy statement to be adopted by the Academic Council that provides that all the requirements and procedures set forth in the Protection of Children Policy that are applicable to non-academic units shall be applicable to academic units as well, as stipulated in Section 2.2.3 of that policy.

The proposed policy statement provides that:

- On an annual basis, Deans shall notify their respective faculty of the Protection of Children policy and of their faculty responsibilities under the Policy;
- Deans may establish education requirements for their respective faculty to promote awareness of their duties and obligations under the policy.

- As background, a revision of Notre Dame’s current Protection of Children Policy by the University Policy Committee

Prof. Desch introduced two guests, Barbara Davey of the Office of Risk Management, and Brandon Roach, Associate General Counsel, who were present to answer any questions related to the proposed Academic Council statement and the revised Protection of Children Policy.

Prof. Dreyer asked for examples of the kinds of events to which the policy might apply.

Prof. Desch replied that events would include minor children working in laboratories, summer academic camps, and minor children participating as research subjects in laboratories.

While there were no further questions from members or any objections to the proposed policy changes or proposed policy statement, for lack of a quorum, the vote on proposed policy statement was tabled until the next meeting of the full Council.

4. Faculty Governance Discussion: Prof. Carlson introduced the Council’s discussion on faculty governance by explaining that Dr. Burish had brought the issue to the Executive Committee for consideration in response to conversation within the University community. The executive committee held a healthy discussion about faculty governance in terms of structure, process and climate. The executive committee recommended a further discussion at the Academic Council, with the support of the council, charging the Faculty Affairs Committee with developing the process for any further exploration. Prof. Desch, chair of the Faculty Affairs Committee, was invited to help lead today’s discussion.

Prof. Carlson presented a short list of questions proposed by the Executive Committee to initiate today’s discussion:

- What is the faculty’s perception of issues related to faculty governance at the University—at the departmental, college, and university levels?
- How should we proceed to examine the structure of faculty governance at each of these levels?
- Should the process include a broad review of committee structures, committee composition, and the function of representatives?

Prof. Carlson noted that today’s discussion focuses not on the issues raised by the topic of faculty governance, which should not be pre-judged, but rather on the interest of the Council in endorsing an exploration of the topic of faculty governance and any or all of the subsidiary topics. The Faculty Affairs Committee would be charged with bringing back to the Council at the May 12th meeting a recommendation for a proposed process that would be transparent, fair, and inclusive, and driven by faculty input.

Prof. Boyd, a member of the Executive Committee, endorsed the idea of asking the Faculty Affairs Committee to develop a proposed process for forming a committee to consider faculty

governance. She noted that a formal exploration would provide a useful public venue for what is currently a widespread but diffuse campus discussion.

Prof. Antsaklis said he also welcomed a proposal for a faculty committee to consider various issues surrounding faculty governance. He reminded members that at an earlier time, a different Faculty Affairs Committee undertook some work on this topic, including benchmarking of other institutions, primarily at the level of university structures. He urged the formation of a representative but workable group and remarked that including a study of all levels would make for a very large undertaking.

Prof. Desch reported that Prof. MaryAnn McDowell, a Provost Fellow this year, has done extensive work benchmarking peer institutions' faculty governance structures. This material could be used to facilitate the work of a proposed exploratory group.

Prof. Romero-Severson remarked that the Faculty Senate is a representative body of the faculty, but she believes that its structure is underutilized by the institution.

Prof. Dreyer endorsed asking the committee to consider the process of convening an exploratory group. He noted that whenever there is even a perception of the absence of voice, then the issue must be investigated. He advocated an exploration of all levels of governance, agreeing that many departments will be found to have effective governance structures that could be examined in order to identify possible structures to carry up the ladder to other levels.

Prof. McGreevy also supported asking the committee to develop a process for the faculty broadly to think about faculty governance. He recommended limiting its charge to an examination of university academic governance structures, including what he called "the three crucial bodies": the Academic Council (and its parts), the Faculty Senate, and the Provost's Advisory Committee (PAC), as a University body whose membership is half elected and half *ex officio*. This would be a "full charge" for the group. There are more than 40 departments in the university, which would lead to an unwieldy and lengthy process if included in the proposed committee's charge. He noted that it seemed to him that any discontent or anxiety among faculty seemed to be more focused on university-level structures, not at the departmental level.

Prof. Carlson said that while the main exploration might be limited to the university level, perhaps the committee's study could be profitably informed by two or three exemplars from the departmental level.

Prof. McGreevy agreed that exemplars could be useful but reiterated his belief that the compelling issues are at the university level. The issue of gaining a voice at the university level among more than 900 tenure-line faculty and several hundred non-tenure-line faculty requires this exploration.

Prof. Romero-Severson agreed that discontent is directed toward university-level structures. She noted that whether or not the more local-level mechanisms are functioning, faculty feel they can make use of these mechanisms to address issues and needs. What works at the local level,

however, may not appropriately function as a model that can be superimposed at the highest levels.

Prof. Maziar recommended that the committee also examine the pathways by which actionable items move to university-level governance. For example, while she was the interim dean of the Graduate School, she noted a wide variation in the ways colleges move curricular issues forward.

Prof. Boyd suggested that the charge be formulated as suggested by Prof. McGreevy and be expanded to include the University committees that report directly to the Academic Council. Clarification of the reporting lines, of the pathways for actionable items, and of the expectations for these committees would be a helpful outcome.

Prof. Antsaklis supported the focus on university-level structures. He also noted that the exploration could examine not only the existing bodies at the University but also the absence of some university-level structures that exist at peer institutions. The previous committee that examined faculty governance found interesting structures in place, for example, at Brown University.

Prof. Carlson summarized the discussion as showing concurrence that Council members recommend charging the Faculty Affairs Committee with the task of developing a proposal for a process to form a committee to consider faculty governance at Notre Dame. The committee's consideration would include: (1) the Academic Council and the committees that report to it; (2) the Faculty Senate; and (3) PAC.

Prof. Bergeman suggested that an additional area for exploration should be the *ad hoc* committees that are formed at the University. These committees often have powerful charges that inform significant decisions with broad impact. There is the perception that faculty voices are excluded from this process. As examples, she cited the *ad hoc* committees that considered insurance and retirement plans.

The meeting was adjourned; the committees convened for their meetings.