

**UNIVERSITY OF NOTRE DAME
THE ACADEMIC COUNCIL
MEETING OF OCTOBER 27, 2004**

Members Present: Rev. Edward Malloy, C.S.C., Rev. John I. Jenkins, C.S.C., John Affleck-Graves, Nathan Hatch, Jean Ann Linney, Christine Maziar, Dennis Jacobs, Jeffrey Kantor, Rev. Mark Poorman, C.S.C., Panos Antsaklis, Douglas Archer, Jay Brandenberger, Seth Brown, Olivia Remie Constable, Tom Cosimano, Kenneth DeBoer, Thomas Frecka, Nasir Ghiaseddin, Brad Gregory, Paula Higgins, Hope Hollocher, Frank Incropera, Eileen Kolman, Michael Lykoudis, Patricia Maurice, Paul McGowan, Christian Moevs, Tom Noble, Teresa Phelps, Ava Preacher, Meghan Rhatigan, John Robinson, Mark Roche, Crystal Salcido, Valerie Sayers, Jeremy Staley, Carol Tanner, Bill Westfall, Jennifer Younger.

Members Absent: Joseph Buttigieg, Don Crafton, Katie Crossin, Tim Dale, Neil Delaney, Mihir Sen, Richard Taylor

Members Excused: Sunny Boyd, Stephen Fredman, Joseph Marino, Patricia O'Hara, Carolyn Woo, Michael Lykoudis

Observers Present: Kevin Barry, Mary Hendriksen, Dan Saracino, Matt Storin, Col. Michael Zenk, Bill Nichols

Observers Absent: Harold Pace

Observers Excused:

The Reverend Edward Malloy, C.S.C., called the meeting to order at 3:05 p.m. Prof. Hatch offered a prayer.

1. Minutes of the meeting of September 23, 2004: The minutes of the meeting of September 23, 2004, were approved without amendment.

2. Proposal to offer a master's degree in sacred music in the Department of Theology: Prof. Hatch explained that because of questions raised in last week's Executive Committee meeting, the proposal to offer a master's degree in sacred music at Notre Dame through the Department of Theology comes to the Council for full discussion but without the clear endorsement of that committee. The Graduate Council approved the proposal last spring, but since that time, new admissions to the University's graduate programs in music have been suspended—which, he said, raised questions with regard to the current proposal.

Prof. Hatch said that even though the Executive Committee did not endorse the proposal, its members believed it wise to have a full discussion of the proposal at today's meeting; thus, three guests have been invited to offer background on it and to answer questions: the Reverend Michael Driscoll, who would be director of the proposed program; John Cavadini, chair of

theology; and Craig Cramer, professor of music. Mark Roche, dean of the College of Arts and Letters, is familiar with the proposal and can answer questions on it as well.

Prof. Cavadini began. He explained that the proposed master's program does not represent a radically new initiative at Notre Dame. The University did have a program in liturgical music that was shared between the Department of Music and the Department of Theology, although it ended around 1990, primarily because of certain structural difficulties.

Prof. Cavadini said that it has long seemed a shame to him that Notre Dame—so rich in liturgical tradition, in theological expertise, and in the ability to translate both into musical expression—should *not* have a program in sacred music. One would expect Notre Dame to be a leader in training for the liturgical music ministry. Thus, over the course of a few years, a group of faculty at the University has crafted the current proposal, which attempts to avoid the pitfalls of the previous program but to promote a course of study that is appropriate to the mission of a Catholic university.

Fr. Driscoll then gave a brief history of the proposal. In 1998, he said, Prof. Roche, dean of the College of Arts and Letters, asked the Department of Music to consider both an undergraduate and a graduate program in church music. After much study and discussion, however, in March 2000 the music faculty decided not to undertake the graduate program. Having given that department the right of first refusal, interested faculty in the music and theology departments then gathered in April 2001 to explore the possibility of an interdisciplinary graduate program. They decided that rather than an *interdepartmental* program, it would be preferable to have an *interdisciplinary* program housed in one department. They felt that such a structure would help to avoid the problems that had led to the demise of the earlier program—problems which Fr. Driscoll described as a kind of “tug of war” between musicians and liturgists. Last fall, the proposal was presented to the theology department and, after discussion in two meetings, it was approved unanimously. The next step was vetting by the Graduate School and presentation to the Graduate Council, which approved the proposal last spring.

Generally, Fr. Driscoll explained, the proposed master's program in sacred music has been constructed to be analogous to Notre Dame's master's program in theological studies: a two-year, 48-credit-hour program. The program would have three parts: one-third liturgical studies, one-third musical studies, and one-third performance—the latter, primarily musical performance but including liturgical performance as well. The capstone of the program is a colloquium in which faculty and students come together to examine topics of common interest.

Fr. Driscoll said that the point of the colloquium—and the point of the master's program overall—is to equip students to reflect on the use of sacred arts in worship and how theological and artistic principles come together in the arena of worship. In that way, the proposal is intended to be the starting point of a conversation between all the sacred arts—visual arts, dramatic arts, and architecture—with liturgy as the nexus. Thus, as set forth in more detail in the

materials distributed to members, it belongs to a larger initiative at Notre Dame to foster liturgy and all the sacred arts. [See attachment, pp. 15-16, Proposal for the Master in Sacred Music]

Fr. Driscoll concluded his presentation by saying that in crafting their proposal, members of the interdisciplinary faculty group spent much time looking at other sacred music programs and where they are housed. A notable example in the field is the Institute of Sacred Music at Yale, which is housed in Yale's Divinity School. They also looked at norms promulgated by the relevant accrediting agency, the Association of Theological Schools, and aligned the proposal with those norms. Additionally, a proposal for an undergraduate minor in liturgical music ministry went forward last year from the Department of Theology and was approved at the Arts and Letters College Council on April 29, 2004. It, too, is interdisciplinary and occurs with the collaboration of interested members of the music faculty but is managed through the Department of Theology.

Prof. Roche spoke next. He said that although Prof. Crafton, chair of the Department of Music, could not attend today's meeting, he asked Prof. Roche to convey to the Academic Council his answer to a question from the Executive Committee concerning the possible impact of the program on undergraduate instruction in music. That answer is: Music is now looking at a major reorganization of its undergraduate curriculum; thus, what courses it will need in the future are not yet finalized. The department has ambitious goals of offering more courses to non-music majors and seeing the number of music majors triple in four years. As a result of the elimination of the graduate programs in music—which is being done over time since there are currently students in that program—he anticipates that between four and six new undergraduate courses will be made available per year as soon as the current graduate students exit their programs. If the proposed program is approved, its students will take graduate courses together with advanced undergraduates—an arrangement which occurs frequently at the University in some smaller master's degree programs, and even in large programs like theology, and seems to function quite well. Prof. Roche also read from Prof. Crafton's e-mail message that although some music faculty have reservations about the proposed program, he and the department as a whole support it and anticipate its success.

Prof. Roche then offered his own perspective on the proposal, saying that it was a very coherent program that resonates well with the University's mission. Simultaneously with development of the proposal for a master's in sacred music, the strategic planning committee for the arts at Notre Dame developed, as one of its possible foci, a program in the sacred arts—which is the larger initiative to which Fr. Driscoll referred. One goal of the faculty involved in that initiative is to establish undergraduate interdisciplinary minors in areas beyond liturgical music ministry that would build on interrelations in the arts and their connection to the sacred. It is a very good time to advance such an initiative, he commented, for, along with the renowned strengths of Notre Dame's theology department, the University has the opportunity to capitalize on many synergies now that the Performing Arts Center is built and flourishing.

Prof. Roche then addressed questions raised by the Executive Committee about funding issues. The short answer is that given the small number of students in the proposed master's

program, approving it will not lead to a shift of faculty resources. Students in the proposed master's program will be streamlined into various courses but given the advising appropriate for their own program.

More specifically, he explained, there are four students in organ studies who are currently funded by Campus Ministry. If the new master's program is approved, those stipends will migrate from the former graduate programs in music to the new master's program in sacred music; the Graduate School will provide the tuition reimbursement for those students. That is how the program will begin: very modestly, with two students per year. In some years, Prof. Roche explained, while the program is still becoming established, and depending on the quality of the applicant pool, the program may even admit four students one year and none the next. Neither scenario will affect course scheduling, however, since the graduate students would be taking courses that already exist. The instruction in organ from Prof. Cramer is individualized, so his offerings will not be affected by the movement of students from one program to the other.

Prof. Roche added that while it is possible that the proposed master's program will expand over time, he has been consistent in saying that expansion of any graduate program is secondary to what he views as the highest funding priority for the University at this time: the general level of graduate stipends. Currently, especially in the humanities and social sciences, Notre Dame's stipends are well below that of our peer universities. He would not support an expansion beyond four students until stipends as a whole are raised.

Even then, Prof. Roche said, adding more students to the program would need to be evaluated in light of competing priorities; however, there are likely niche donors who would very much like to see Notre Dame flourish as the university of destination for students interested in an advanced degree in this area. Thus, there may be funding potential from various donors, which would allow the program to expand.

In terms of faculty lines, Prof. Roche continued, the position that Prof. Bower occupies will continue to be devoted to his particular area of expertise: sacred music of the Middle Ages. A position for voice is frozen in the music department but, because it is budgeted, it could be filled. Another position, now occupied by Prof. Frandsen, also a musicologist, is secure as well in terms of its focus on sacred music because she was tenured last year after the proposal was approved. There has been a suggestion that perhaps another organist should be added to the faculty, but that would require new funding from development—again, possibly by a niche donor who might want to fund a position.

Prof. Roche added that he has asked Fr. Driscoll and his colleagues whether the current level of library support is adequate for the program. The current level of funding has been deemed adequate, although additional resources, in the range of \$3,000 per year, perhaps from a niche donor, would strengthen the holdings in support of the program.

Finally, in terms of funding, faculty involved with the proposal have asked for some one-time start-up funding to advertise the program. That will be provided by a donor who has

designated funds for the support of projects that reinforce the distinctive identity of Notre Dame—making this request a good fit for that donor.

Prof. Younger asked Prof. Roche to clarify his statement on the magnitude of library resources needed.

Prof. Roche answered that the proposal's supporters would like to have annual funding of \$3,000 for library resources, but they recognize that they can pursue the program with current resources.

Prof. Brown said that he saw the proposal under consideration when it came through the Graduate Council last year. He supported it fully at that point, for the program seemed to be a natural fit for Notre Dame. Now, however, he is very concerned about an unfortunate coincidence of timing: the graduate program in music has been discontinued at the same time that the current proposal has been slated for a vote of approval. Yet, presumably, the faculty group who has been working for many years on the proposal for a master's in sacred music assumed that there would be a graduate program in music to help support its own program. Thus, he commented, it seems that we have a three-legged stool of which two of the legs have been suddenly removed—leading to concerns on his part about the stability of the proposed new program.

Prof. Brown said that his first concern about stability is a practical one. The proposed program is not a music program; it is housed in Theology. Thus, when it comes time for the music department to prioritize, Music may not be able to support it. Academic Council members have heard today that the music department has set a very ambitious program for itself in terms of undergraduate education. And, it is often the case that a department wants to offer more courses than it has the staffing to provide. Given inevitable crunches in staffing, he is concerned that the proposed program might teeter on the edge of viability—that is, some times it will be staffed; and other times, there will be problems.

Prof. Brown continued that his second concern is that he is somewhat puzzled as to how, on the one hand, the music department has been instructed to terminate its graduate programs; yet, on the other, if the proposal is approved, it is being instructed to resume teaching of graduate students. Although Music would not house the proposed program, that department's faculty certainly would have a major role to play in its implementation. Yet, in the absence of a discussion in the Academic Council on the reasons for the termination of the graduate programs in music, he is at a loss as to how members can assess whether that structure is a good one. If, for example, the music department has been instructed to focus its energies more heavily on undergraduate education, then the proposed program would be, to some extent, a distraction from that directive. Or, if the graduate programs in music were phased out because of quality issues, that, too, is a factor that would impact the current proposal. Prof. Brown then asked if a member of the music or theology faculty could address some of his concerns.

Prof. Cramer replied that although he will attempt to address Prof. Brown's questions,

because he is not the chair of Music, he cannot really have his finger on the leadership issues that would be involved. Clearly, as with any interdisciplinary degree, there must be some oversight of faculty involvement, and the program must rely on the largesse, more or less, of the chairs of the respective departments. Academic Council members have assurance from Theology, in the person of the chair, that the program has the support of that department. As for Music, the chairmanship of that department is, at the moment, up in the air. Prof. Crafton is very capably filling in for a while, and has given the proposal his support. Thus, as to the questions Prof. Brown raises regarding priorities and staffing, he would hope that they can be handled by the dean and chairs.

Prof. Cramer continued that he does not think that involving music faculty in the proposed program in sacred music presents any difficulties. For many years there has been a small group of interested Music faculty who have advocated for a program or programs that would directly serve the Catholic nature and mission of the University. Those faculty members have expressed, at times very strongly, to the chair, the dean, and the provost, that they would like to occupy that niche—one in which Notre Dame has placed students consistently and one that this group of faculty feels it can serve very well.

Prof. Cramer said that he believes the issue of quality of the student pool to be a very real one. At the moment, there is a very small applicant pool in organ studies across the United States. Nevertheless, Prof. Cramer said, he is confident that Notre Dame will ride out that current situation. Notre Dame has taken very bold steps to assure that it will be one of the schools that is still teaching organ when the history of the 21st century is written—primarily by giving steady support, over the years, to the position in organ as well as to assistantships. And, now, of course, the University has a significant advantage in the magnificent facility of the Performing Arts Center. All this gives off very strong signals to students across the country and even internationally that the University is strongly committed to the field.

Prof. Cramer continued that he is confident of the quality of students who have applied to Notre Dame's master's of music in organ program and of the quality of students who have enrolled. The track record in placement and achievement of students speaks for itself. While it is true that it would certainly be easier to recruit if Notre Dame had a whole array of programs—from undergraduate through doctorate, as do highly regarded schools of music and conservatories—because that is unrealistic at this point, a small program in sacred music coupled with Notre Dame's high profile ensures that the proposed program can compete for top students.

Prof. Brown then asked Prof. Cramer to clarify the teaching issues. Of the theology courses, he said, all courses listed have course numbers and, presumably, are taught on a continuing basis. Looking at the list of proposed courses, though, he counts 10 different courses in sacred music that would be offered at some point—most likely, not all at the same time. He asked Prof. Cramer how many of those music courses would not be offered in the absence of any graduate program. In other words, how much of an additional commitment do these courses represent for the Music Department?

Prof. Cramer answered that two of the Music Department faculty—Calvin Bower, who Music shares with the Medieval Institute, and Mary Frandsen, who was recently tenured—teach almost exclusively in the area of sacred music and would do so if the department had no master’s program at all. Prof. Bower will continue to teach his courses in Gregorian chant and medieval music; Prof. Frandsen, a scholar of the sacred repertoires of the 17th and 18th centuries, with a specific focus on 17th-century Dresden, regularly teaches courses in sacred music, including one on Handel and another on Bach; and a third faculty member, Alex Blachly, one of the choral specialists, works very heavily in the area of sacred polyphony of the 16th century. A fourth faculty member, Paula Higgins, has a marvelous record of teaching music from the medieval and early Renaissance periods. In short, Prof. Cramer said, the department has historians in place who work in this area; thus, the courses that are listed there, in one sense, are a dream or “Christmas” list of subjects faculty wish they could teach. Because of the way the masters programs have been configured, however, those courses have not been able to be taught. He does not think in real terms that the department is looking at a significant shift of focus. It is certainly not looking at having suddenly to add new courses; the courses listed in the attachment can all be taught with existing faculty.

Prof. Brown clarified that he was not asking whether Music faculty have the expertise to teach the classes. The question relates to whether it is a shift in the *status quo* from not teaching graduate courses to teaching them, since the projection at this point is that the graduate courses are going to be phased out.

Prof. Roche replied that the situation is that there will be no more courses taught by the Music Department solely for graduate students—with the exception of the individualized instruction that Prof. Cramer gives for organ. Other faculty members mentioned, Profs. Bower, Frandsen, and Blachly, will be offering a sufficient number of advanced courses for both graduate and undergraduate students.

Prof. Roche then addressed Prof. Brown’s questions about the graduate programs in music. While it is a long and complicated matter, he said, the short version of events is that the quality of the program did not meet the aspirations for graduate programs at Notre Dame. A determination was made that the difficulties related not to the quality of the faculty, which is very strong, but to the structure of the programs and the ability to recruit students into those programs. For example, in the academic areas of music theory and music history, there were so few students because it is extraordinarily difficult to recruit the small number of students interested in doing premier graduate work into a terminal masters program. In terms of music performance, Prof. Roche said, it seemed that Notre Dame would need to invest a huge amount of resources to compete with schools of music that have large numbers of faculty members in every instrument, while Notre Dame tends to have one faculty member per instrument, or, in some cases, such as viola, not a single person. Thus, the point was reached that a decision needed to be made either to invest seriously in the graduate programs or to eliminate them.

Prof. Roche continued that, given that decision, the question that arises, besides the issue

of undergraduate/graduate workload, is: Can Notre Dame have a strong program in sacred music? Is Notre Dame a good place to develop that? Will the program be competitive? He believes the answer to those questions is “yes”—because of the strength of the theology department, because of the University’s organ facilities, and because of the quality of the faculty members who work in sacred music in both performance and musicology.

Prof. Roche then said: One of the other questions the Executive Committee asked Prof. Crafton was what he thinks about the course offerings, the course load, etc. Prof. Crafton wrote in his reply that “as to the involvement of Alex Blachly, Craig Cramer, and Mary Frandsen . . . the department will release them to contribute to the [master’s in sacred music program], but not exclusively. It is reasonable to assume that some courses taught now at the graduate level will be modified to be taught in graduate and undergraduate versions.” Thus, Prof. Roche observed, he and Prof. Crafton had not actually spoken about this particular piece of the puzzle, but both came independently to the same conclusion, that is, the way to run such a small program is to merge advanced undergraduate students and graduate students into the same courses.

Prof. Constable said that while, on the one hand, it can make for an energetic and fruitful class to combine graduate students with upper-level undergraduates, she is concerned about a graduate program in which two-thirds of the courses are specified as undergraduate courses. Her other concern is whether faculty who have been named as being a part of this program are actually on board with giving their time to teaching students who are, essentially, Theology students.

Fr. Driscoll replied that the Music faculty who have been named today as a part of the program are actually co-drafters of the proposal. They are clearly on board with the program and their role in it. As for the music courses listed in the attachment, he would have liked to provide their official numbers, but there were number discrepancies. All of the courses, however, are existing, graduate-level courses because, again, the proposal is constructed to work with existing courses and existing personnel.

Fr. Driscoll added that particularly if the master’s program starts small—admitting only two, maximum four, students a year—he foresees that there would be a two-year rotation of courses. Thus, within the music curriculum, one set of courses could be offered in the first year and another set in the second. Few courses, if any, would be under-subscribed.

Prof. Constable asked: Yet the music courses will still be graduate-level courses? Fr. Driscoll replied that she was correct.

Prof. Constable asked whether that is true even though there will be no graduate programs in music.

Fr. Driscoll assured her that the courses would be graduate-level music courses and said he believes that precedent for an arrangement of one department using courses from another

department exists in the logic program in philosophy. That program uses courses from Mathematics.

Prof. Constable asked if there will be enough students to fill the courses if only two students are admitted each year.

Fr. Driscoll replied that advanced undergraduate students will enroll in the courses as well.

Prof Cramer commented that he could speak to Prof. Constable's question as to the classes listed as "Organ Literature I and II" in the attachment. They are not undergraduate courses, he said, but a two-semester graduate seminar. Currently, he has nine undergraduate organ majors, five of whom are juniors, who would fit admirably in that course—more than enough to form a critical mass.

Prof. Noble said that as director of the University's Medieval Institute, he has some insight into the way interdisciplinary programs work. Institutes do not have their own faculty, yet there are two or three dozen faculty members who participate constantly, enthusiastically, and generously in the work of the Medieval Institute. Another few dozen faculty teach courses more occasionally. Thus, to the extent that there are people who are interested in a program like this, he does not believe that staffing courses will be a problem.

Prof. Noble said that he has been kept abreast of the development of the proposed master's program in sacred music since its beginning. He believes that on a very regular basis, the Medieval Institute would supply a fair number of its graduate students for the classes listed in the attachment. Many of the Medieval Institute's students have worked with Calvin Bower over the years; and, if there were other faculty teaching courses in these areas and teaching them on a more regular basis, he would be sending along two, three, or four students routinely. It is nearly possible to make classes for the program simply out of the Medieval Institute's student body.

Prof. Noble said that it is not unusual for graduate courses to be taught in departments that do not have graduate or Ph.D. programs. A considerable number of faculty in Romance Languages, Art History, Music, and other areas have taught graduate-level courses under Medieval Institute course listings, which have then had students from other programs flow into the course. So, it would simply be a matter of cross-listing and of providing other mechanisms to permit students to pursue certain courses of study.

Prof. Noble concluded by saying that he is a very enthusiastic supporter of the proposed program. For the work of the medievalists at Notre Dame, which number about 50 faculty, it is a very good thing. The program has been designed with care and great thought. He would not be concerned about its stability because it is interdisciplinary or "homeless." Indeed, he would not be at all surprised if, in a short period of time, the program might be faced with too many applicants. He predicts that the program's problem will be success, not failure.

Prof. Preacher raised again the concern about the proposed program drawing off resources for undergraduate students. Some of the faculty members who would teach the courses listed in the attachment, she said, are the same professors who have taught some of the larger, introductory-level courses for the University's fine arts requirement. They are very good undergraduate teachers, and she worries that if they are pulled into teaching this set of courses, undergraduates will be affected adversely. Also, the drawing off of resources she fears would occur at the very time that Music is hoping to triple its number of majors.

Prof. Cramer said that the recently discontinued programs in music combined courses for students in the Master of Music program and students in the Master of Arts program. The music program was a performance program; with the master of arts, one could work in theory or musicology. Those programs required one theory and one music history course per semester; thus, the department offered a minimum of four courses in music history and theory every year. Then, there were topics courses that were taught in addition to the required courses. Music has had as many as six courses taught per year in these masters programs at the graduate level. Thus, the probable scenario is one course per semester in this program, plus the continuation of organ literature—which, because he has always taught organ literature in addition to the courses mentioned, is a wash. That represents a net gain of four courses potentially available for undergraduates.

Prof. Higgins said that while the proposal is complicated for her for a variety of reasons, first, she wants to make it very clear that she believes what is proposed would be an outstanding program. It is something that Notre Dame should have been doing many, many years ago. There actually was an earlier program between music and theology which was discontinued because of political tensions between the two departments. She remembers that when she was recruited by the University in 1990, she received an eight-page letter from a very distinguished liturgist at Princeton University outlining the kinds of difficulties she would encounter at Notre Dame with the Music Department and the Theology Department. Given the longstanding history, it is good that Notre Dame is considering resurrecting a program in sacred music. She hopes, though, that it exists under happier circumstances than those of the past.

Yet, Prof. Higgins said, she feels compelled to speak to the other issue before the Council today, which is what Prof. Brown has called “the unfortunate coincidence” of the request for approval of this program with the demise of the graduate programs in music. Prof. Constable has asked whether faculty named in the supporting documents are on board with the proposal even though there are no longer any graduate programs in Music. While she cannot speak for all Music faculty, she believes it is fair to say that there is virtually unanimous sentiment among those involved that this program would be a much better program if it were to exist alongside flourishing graduate music programs. From what she and others have been able to determine—although it has not been the most thorough study—there is no other stand-alone master's of sacred music program in the country. That is, every other MSM degree program is housed within or affiliated with a school of music or in a music department. Thus, as one colleague involved in the program put it to her privately: the program would be teetering on the

edge of a precipice. While it has a very solid underpinning in Theology, the music part may very well fall off the cliff in the absence of concurrent graduate programs in music.

Prof. Higgins continued that while she does not want, in any way, to be seen as attempting to torpedo this program, she does have serious questions both in her capacity as an officer of the Faculty Senate and as a member of the Academic Council about the way the graduate programs in music seem have been discontinued. While she does not know the precise protocol, it seems that there ought to be some way for the Notre Dame community to learn about the demise of the music department's graduate programs besides reading about it in the *Scholastic*. There should be other channels available—either the Graduate Council or the Academic Council. Her role in both the Senate and the Academic Council requires her to be mindful of issues involving faculty governance and academic freedom, and she believes it a matter of serious concern that neither body has discussed the discontinuation of the graduate programs in music.

Prof. Hatch replied that while today's meeting is not the occasion to go into what was a very complicated set of decisions related to the graduate music programs, that entire matter could be discussed at another time.

Prof. Higgins then moved that the Academic Council approve the current proposal with the proviso that the issue of the discontinuance of the Music Department's graduate programs be reopened and discussed by the Graduate Council or the Academic Council. That would enable the program in sacred music to be approved immediately without abandoning concern about the graduate programs in music.

This, Prof. Higgins said, would be a procedure she believes some of her colleagues who are not present would favor. She knows that even as late as August, one of them was writing multiple-page letters to the administration pleading with them to reconsider the decision to end the programs. One faculty member is quoted in the *Scholastic* in reference to the master's of sacred music. (She then read from the *Scholastic* article.) This faculty member is unhappy about the program being housed in the Department of Theology and believes it should be in the Department of Music. Prof. Higgins reiterated that the department voted several years ago not to add the sacred music program to its offerings.

Thus, Prof. Higgins concluded, she believes she can say fairly confidently, both personally and on behalf of some of her colleagues, that it would be sheer folly to start a program in the absence of a solid underpinning in the music department.

Prof. Sayers seconded Prof. Higgins' motion.

Prof. Roche said that the Graduate Council is specifically charged with reviewing all *new* graduate programs; yet, his recollection is that it does not have a written charge to review the discontinuance of programs. Still, if Prof. Kantor believes it appropriate to bring the issue of the

discontinuance of graduate music programs forward for wider discussion, the Graduate Council would appear to be the appropriate forum.

Prof. Kantor, vice president for graduate studies and research, said that Prof. Roche is correct: The Graduate Council has no specific charter regarding the termination of programs. That is a point he believes Prof. Brown raised at an earlier meeting this year of the Academic Council. In any event, the report that led to the discontinuation of the graduate programs in music was a report commissioned at the executive level by the Provost. It did not receive airing at the Graduate Council.

Prof. Kantor continued that the proposed program in sacred music was reviewed in April by the Graduate Council and approved 16 to 2. Many of the issues discussed today, such as financial resources for stipends and tuition remission, were discussed at that time as well. There was no explicit discussion, however, of the course resources necessary to support the program, for last April, the future of the graduate music programs was unclear, and that would have been a very difficult, uncertain conversation to have. Nevertheless, the Graduate Council did approve the program 16-2.

Prof. Higgins asked Prof. Kantor whether he was saying that there is no policy, *per se*, in the Graduate School for discontinuing a program.

Prof. Kantor said that is correct. The written charter of the Graduate Council contains no reference to procedures for discontinuing programs.

Prof. Higgins asked whether the Academic Council must vote to approve new programs or to discontinue existing ones.

Prof. Kantor said that the Graduate Council has the right of agenda to the Academic Council, and he believes that the members of the Academic Council who are also members of the Graduate Council have the right of agenda to the Graduate Council. Thus, the issue could be mandated to one body or another through that mechanism.

Prof. Brown commented that even if the Graduate Council does not have an explicit charge related to the discontinuance of graduate programs, it does not seem inappropriate for that body to consider general matters pertinent to graduate studies.

Prof. Constable reiterated Prof. Higgins' concerns about procedures at the University for dissolving a graduate program and asked for a description of the protocol in such a case.

Prof. Hatch said that Notre Dame has no stated procedure for discontinuing a program. He believes that to be true as well at most universities. With the graduate programs in music, the process involved a blue ribbon committee whose members made certain proposals. It is possible to explain and to defend that process, and the Graduate Council is certainly a place to do so. He would assure members that the entire issue of the graduate music programs was very

complicated, and the decision to phase those programs out was not made quickly or without enormous care. While it will require a great deal of time to lay out the roots of the problem and to explain the entire decision, he can certainly do so.

Prof. Roche pointed out that the *Academic Articles* stipulate that the creation and elimination of departments must be authorized by the Academic Council [Sec. 3(a)], but he does not recall language related to graduate programs.

Prof. Higgins said that the *Academic Articles* refer to the powers of the Academic Council in regards to the discontinuance of “any academic organization of the University.” That is a nebulous phrase, and she and others have wondered whether it applies to *programs* or not. There is a provision in a preceding section of the *Articles* that refers to the Academic Council having under its purview the approval of all major changes having to do with departments and programs, but it seems to be true that the section she cites does not explicitly refer to discontinuing programs.

Prof. Higgins then said that the American Association of University Professors does have a statement on discontinuing programs in its *Recommended Institutional Regulations on Academic Freedom and Tenure*. It reads: “The decision to discontinue formally a program or a department of instruction will be based essentially upon educational considerations, as determined primarily by the faculty as a whole or an appropriate committee thereof.” [See *Recommended Institutional Regulations on Academic Freedom and Tenure* Section 4(d)(1) titled “*Termination of Appointments by an Institution: Discontinuance of Program or Department Not Mandated by Financial Exigency*” at <http://www.aaup.org/statements/Redbook/%5B7%5D>] Depending on the interpretation of the words “an appropriate committee thereof,” it may be that the recommended procedure was followed.

Fr. Malloy said that a proviso such as the one in the motion now before the Council is problematical because it lacks clarity in decision-making. He would recommend to Prof. Higgins that she either: (1) move to table approval of the program in sacred music until a certain time or until the matter of the graduate programs in music is resolved, or (2) move that an appropriate vehicle, perhaps the Graduate Council, review the process that was used in connection with the termination of the graduate music programs and make recommendations about that process. The result either way is that a program she has endorsed does not become the prisoner of another set of agendas.

Prof. Higgins said that while she does not want the program in sacred music to become a “prisoner,” she is concerned about the processes that were followed in the spring for discontinuing the graduate programs in music. She and others had the expectation that there would be some kind of formal process of discontinuance involved after the Provost received the blue ribbon committee’s recommendation. Perhaps, she said, that expectation was related to the

course of events involving a similar situation in the Economics Department which went through formal channels, including the Academic Council.

Prof. Higgins continued that as to the decision to approve the program in sacred music, she does have serious reservations about the viability of that proposed program in the absence of graduate music programs. For example, in the list of courses provided in the attachment, there is only one course named that is currently being taught and that is an undergraduate, non-major course at the 200 level. There are many courses on the list that are not currently being taught and are not part of the Music Department curriculum which leads her to fear that the sacred music program would be a drain, to some extent, on the resources of the department. While she is not sure how to reformulate her motion, she advanced it in order to make a point about the need to consider the fate of the graduate music programs in the context of how their discontinuation might affect the proposed program in sacred music. She referred back to the colleague quoted in the *Scholastic*, and other colleagues with whom she spoke prior to the Academic Council meeting who feel the same way, that is, the Master's in sacred music program should exist within the context of other graduate programs in music.

In that case, said Fr. Malloy, Prof. Higgins' concerns go to the appropriateness of Academic Council members approving the program in sacred music. Any members who are convinced by her statements and concerns can vote "yes" to her proviso, which would complicate the ability of the proposed program to move forward. Any members who do not agree with her concerns can vote against the proviso; Prof. Higgins could then make some other motion to try to deal with her concerns about the graduate music programs. Again, Fr. Malloy said, he is not trying to interfere with the prerogatives of any member but to achieve clarity in decision-making.

Prof. Higgins said that while she did not come to the meeting intending or prepared to make a motion, the motion she has made is an attempt to help reconcile two difficult issues. On the one hand, there are academic freedom and faculty governance issues connected with the discontinuation of the graduate music programs, and the Senate is rightly concerned about those issues. Also, some Academic Council members have raised concerns about certain curricular issues associated with the proposed program. On the other hand, the sacred music program is a wonderful program that needs to be launched.

Prof. Brown suggested two possible courses of action. If members believe that concerns about the viability of the proposed program in the absence of the graduate programs in music are strong enough, the appropriate thing to do would be to remand approval of the program to the Graduate Council for reconsideration in the broader context of the overall graduate programs in music. That would result in a clear decision: The master's program in sacred music would go back to the Graduate Council, its members would reconsider approval by addressing the issues raised today, and then that council would resubmit the program to the Academic Council with either a favorable or an unfavorable recommendation. If, on the other hand, Prof. Brown said, members believe that the proposed program in sacred music should go forward regardless of the presence or absence of graduate programs in music, they can approve the program and follow up

separately on the other issue of reconsidering the graduate music programs. He said that he would be willing to make a motion to remand approval of the master's program in sacred music to the Graduate Council if Prof. Higgins wishes to withdraw her motion.

Prof. Higgins did withdraw her motion, the withdrawal was seconded, and Prof. Brown moved that the Academic Council remand the proposal to create a master's program in sacred music to the Graduate Council with a charge to reconsider the program in the context of the graduate programs in music.

Prof. Kantor seconded Prof. Brown's motion, saying he did so in light of the fact that the discussion at the Graduate Council occurred before the decision to phase out the graduate programs in music.

Prof. Kolman said that she favored the motion on the floor. Complications that have appeared with the proposed program make it difficult either to vote it up or down. Prof. Brown's motion provides a good way to deal with that problem.

Prof. Frecka asked how many students received degrees from the graduate programs in music per year and, again, projected enrollment for the new program. Is he correct in thinking that it will graduate two to four students a year?

Prof. Cramer said that, on average, two students have graduated in organ studies a year. Given the available assistantships at the moment, he expects that number to stay the same.

Prof. Frecka said he is curious how a program that graduates only two to four students a year can be viable.

Fr. Driscoll replied that when the proposal was put forward, the idea was to grow it to a full capacity of eight students a year: four in organ, four in vocal. That would mean that 16 students would cycle through the program every two years. Sixteen students would make the courses viable as well; yet, given the available stipends, it is feasible now to proceed only with four students a year. Supporters hope that a donor will step forward soon and allow the University to bring the program up to full capacity.

Prof. Kantor pointed out that the University has a small number of master's degree programs that are embedded in somewhat larger graduate programs. For example, the Theology Department has several different kinds of masters programs whose students share courses. It is not unusual to have a master's program that is graduating only one, two, or three students a year. What is unique about the proposal at hand is that it has more of a stand-alone character in the area of course resources.

Prof. Cramer said that the goal of the proposed program is to place students in full-time positions in parishes, a diocese, or a cathedral, or in positions of campus ministry. Increasingly,

he has noticed that these positions require students to do more than just music. Now, typically, positions are titled “director of music and liturgy,” which is one reason the faculty who constructed the program think it so timely.

Prof. Cramer continued that the placement record for Notre Dame’s graduate students in organ is exemplary. This is his 24th year at Notre Dame, and over those years, he has had many more phone calls and received many more job announcements than his students could possibly fill. Currently, 85 per cent of the graduates of Notre Dame’s organ program still work full-time in music, and the remaining 15 per cent have pursued other interests related to music. While two students a year may seem a very small number, keeping the quality of the program up has served Notre Dame well in placement in the past.

Fr. Malloy reminded members that conversation about the viability of the program is not the topic at hand. The motion on the floor is about remanding consideration of the program to the Graduate Council, where concerns of that nature can be discussed fully.

Prof. Roche said that unless he hears more compelling arguments, he will vote against the motion to remand the program to the Graduate Council. To answer Prof. Frecka’s question, there are several small graduate-degree programs in Arts and Letters, such as a premier master’s program in Early Christian Studies run by both Theology and Classics. That program has only two students per year, which requires its students to take courses together with students in other degree-seeking programs; yet, it is a wonderfully unique and distinctive program and is an appropriate fit for Notre Dame. Its students are placed very well.

Prof. Roche continued that he has heard two serious questions that go to the heart of the proposal before the Council today. One is Prof. Preacher’s concern—a concern that was raised in the Executive Committee as well—about diverting resources from undergraduates to graduates. The best response to that concern is two-fold: First, the University is gaining four to six courses per year, which it can move from graduate studies to undergraduate studies, as a result of the closure of the graduate programs in music. Even if the sacred music program should offer up to two courses per year devoted specifically to graduate students—with enrollees coming from the sacred music program and the Medieval Institute, for example—there will still be a net gain for the undergraduate program. There is also a frozen line in Music, but when that is filled, more courses will be available to the department.

The other question, Prof. Roche continued, was raised by Prof. Constable. It involves concerns about students in the program in sacred music taking a number of courses with undergraduates. His response to that is that the organ literature course is a graduate-level course, as are the Theology courses. Additionally, there is much precedent at Notre Dame for graduate students taking courses that include some advanced undergraduates. Thus, the intellectual

quality of the program, especially given the very advanced academic credentials of the faculty in Theology and Music, does not concern him.

That leaves the argument, Prof. Roche said, that it is necessary to have a full program in music to make the program in sacred music work; yet he has not heard a substantive argument as to *why* the graduate programs in music play such a role. Sacred music students will have their courses in Theology, they will have courses in these graduate/undergraduate courses in music, and they will have the same kind of instruction with Prof. Cramer that has occurred in the past. He is not sure why the University needs students in violin, viola, or piano, or one or two students per year in an academic master's program, in order for the sacred music program itself to flourish. For those reasons, he is inclined to vote against the motion to remand the proposal to the Graduate Council.

Prof. Constable said that she would vote in favor of the motion to remand, largely because she believed she had a good, solid answer to one of her questions, and then that seems to have crumbled. Two-thirds of courses in the proposed program are in the Department of Music, and members have been told that the Music faculty is in favor of the program; yet, they have heard later that a Music faculty member is quoted in the *Scholastic* as not favoring it. She is not sure what the music faculty really do think about the program—one in which they are being asked to do tremendous service.

Prof. Cramer said that even though he is not a member of this council, he would like to speak to the question of remanding. He is married to Gail Walton, the director of music at the Basilica of the Sacred Heart, and knows that she has a pressing need for graduate students' help. The demands of the director position are enormous—for there are several choirs to direct and liturgies to produce twice every weekday as well as the Saturday evening and Sunday liturgies. Also, the Basilica's ten o'clock Mass on Sunday is broadcast live on the Hallmark channel across the country. Prof. Cramer said that he knows that if there is a lapse in the stream of graduate students, there is a plan at the Basilica that will be executed immediately to withdraw the graduate assistantships that exist there today and then create a full-time position to replace them. Thus, he is concerned that if this program is remanded and the deadline for Fall 2005 entry to it is missed, four assistantships are in jeopardy. If that scenario comes to pass, there would then be a need to come back to the Graduate School to ask for support for all the assistantships.

Prof. Brown asked Prof. Kantor how quickly the Graduate Council could act on a directive to reconsider the program in sacred music.

Prof. Kantor said he believes that the next meeting is scheduled for the first week of November. He assumes discussion could occur then.

Fr. Malloy asked for a vote on the motion to remand consideration of the approval of the master's program in sacred music to the Graduate Council. In a voice vote, the majority of members favored the remand.

3. Revision of the constitution for the Nanovic Institute for European Studies: Prof. Linney explained that the Nanovic Institute's original and current constitution includes considerable language devoted to justifying the creation of the Institute. The proposed revised constitution eliminates much of the language on rationale and otherwise streamlines the document by doing what a constitution typically does—by articulating, for example, specific responsibilities of the director. Other changes in the revision are: eliminating the position of assistant director and substituting a faculty committee for the former steering committee, although the composition of the committee is essentially the same; clarifying the election process for members of that faculty committee; and establishment of an advisory board.

Fr. Malloy asked if there is any aspect of the revisions that has been controversial.

Prof. Linney replied that the only question raised at the Executive Committee meeting was one on who could nominate fellows to the Institute. The proposed revised constitution says that the director and current fellows make the nominations, but a member of the Executive Committee asked why the process was limited only to those persons. Prof. Linney reported that Prof. McAdams, director of the Nanovic Institute, said there are over 100 fellows, and he would be open to nominations from anyone. The constitution would establish the Institute director as the conduit for nominations.

Prof. Noble asked if all centers and institutes have constitutions that have been approved by the Academic Council.

Fr. Malloy said that it is the first time he recalls having such a proposal come before the Council.

Prof. Kantor said that there is a requirement that institutes have constitutions; whether they do may be another matter.

Prof. Roche said he remembers the Academic Council addressing the last version of the Nanovic Institute's constitution but thinks it absurd for the Academic Council to weigh in on institute constitutions. The analogous situation would be departmental CAP documents. They are approved by the department and then signed off on by the dean. At times, the dean asks for changes. He thinks institutes should work the same way. The provost or associate provost should ask the institutes to draft constitutions, those constitutions should be approved by the institute's fellows, along with a clause that allows for amendment, and then the provost or associate provost should play the analogous role to the dean with CAP documents. He believes that the *Academic Articles* should be changed accordingly.

Fr. Malloy noted Prof. Roche's comment but said that as part of the existing bylaws, the Academic Council is charged with approving institutes' constitutions. He asked for a vote on the proposed revisions to the Nanovic Institute's constitution, and members voted unanimously in favor.

4. Revised charter for the University Council for Academic Technologies: Prof.

Linney explained that this committee was renamed some time last year to replace the University Committee on Computing and Information Services. There are two specific changes in this revision, and they come from Gordon Wishon, associate vice president and Chief Information Officer. The first change proposed is the last sentence of the first paragraph, which states that the University Council for Academic Technologies is an advisory body to the University Chief Information Officer (CIO). That sentence is not in the current version. The second change is the last sentence of the last paragraph, stating that the committee is to be chaired by the CIO rather than by an elected faculty member.

Fr. Malloy asked who initiated the changes.

Profs. Hatch and Linney said the changes came from Gordon Wishon and then were endorsed by the Executive Committee. Prof. Hatch added that the changes would align Notre Dame more closely with practice at other universities. Computing has assumed such a large role in university life that the CIO should take the lead in this area with a substantial faculty advisory committee. He supports the changes.

Prof. Brown said he supported the changes as well, particularly those that focus the scope of the committee on academic computing.

Fr. Malloy asked for a vote on the revised charter of the University Council for Academic Technologies. The changes were approved unanimously.

5. Committee Reports:

(a) Undergraduate Studies: Prof. Preacher said that the committee has met and discussed the issues that it will take up this year. The AP credit issue is a carryover issue and, in fact, there was a great deal of discomfort in the way that last year's proposal was being formulated. Some interesting ideas were proposed in committee that members will investigate further. One of them is rather than limiting AP credit, the University should perhaps require students not only to have only 60 credit hours at Notre Dame but 90 "collegiate" hours as well. In that way, students would actually have three years of collegiate work by the time they graduate.

Prof. Preacher said that the other issue the committee will take up is grade inflation.

(b) Graduate Studies: Prof. Kantor said that the committee is scheduled to meet soon. Members are building the agenda for the year based on discussions at the Academic Council's retreat meeting. It includes the process of terminating graduate programs and several other issues that he reported on earlier.

(c) Faculty Affairs Committee: A member reported that the committee had not yet met.

There being no further business, Fr. Malloy adjourned the meeting at 4:25 p.m.