

# The Academic Council

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April 21, 2004

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 March 30, 2004.

The minutes of the meeting of March 30, 2004, were approved without amendment.

## 2. Proposal to abolish the Graduate Studies Committee of the Academic Council and to add Academic Council members to the Graduate Council.

Prof. Phelps, chair of the *ad hoc* Committee on Committees, introduced the proposal. She explained that her committee was created specifically to look at the Graduate Studies Committee of the Academic Council and its overlap with the University's Graduate Council. Committee members worked this year with Prof. Kantor, chair of the Graduate Council, and constructed the proposal presented for approval today. [See Attachment A]

That proposal, she said, essentially does away with the Academic Council's Graduate Studies Committee but puts a significant number of Academic Council members—six—on the Graduate Council for one-year terms. Committee members decided that six representatives would strike the best balance between the Academic Council's need and desire to be well represented on the Graduate Council with two other interests that must be considered when apportioning seats on that council: (1) allowing fair and representative elections to it; and (2) giving the chair of the Graduate Council the ability to appoint members to represent various University interests.

Prof. Phelps further explained that the proposal provides that five of the six Academic Council representatives to the Graduate Council must be elected members of the Academic Council (i.e., only one of the six may be an *ex officio* member of Academic Council). The six Academic Council representatives, along with the *ex officio* members of the Graduate Council who are also members of the Academic Council (e.g., the college deans)—termed “the larger group” in the

documentation accompanying the proposal—would have the right of agenda on the Graduate Council. The proposal also provides that the members of this larger group would elect one of their number to be a liaison to the Executive Committee of the Academic Council.

Prof. O'Hara said that she has no objection to dissolving the Graduate Studies Committee or to the new composition of the Graduate Council. She believes, however, that she and Prof. Kantor had an exchange of correspondence on the question of whether the dean of the Law School belongs on the Graduate Council.

Prof. Kantor agreed that correspondence on that issue had occurred; yet, he said he thought the issue had been resolved by including both the deans of the Law School and the Mendoza College of Business as members of the Graduate Council. In the correspondence, Prof. O'Hara questioned what issues might come to the Graduate Council that would pertain to the colleges of law or business. He believes that those issues would be ones that have a social character or that affect the community of graduate and professional students.

Prof. O'Hara asked for clarification on the record that nothing in the proposal should be construed to bring the Law School underneath the aegis of the Graduate School.

Prof. Kantor said that there was no attempt in the proposal to bring the Law School under the Graduate School.

Prof. Hatch said that the understanding seems to be that when an issue before the Graduate Council pertains to professional as well as graduate students, it would help to have the deans of law and business present.

Prof. Kantor said that an example would be the issue of health insurance discussed this past year. That topic involved both graduate and professional school students.

Prof. O'Hara asked for another clarification: The proposal would not mean that the Graduate Council sets policy for law students, even as it relates to issues which have a social character or affect community.

Prof. Kantor agreed.

Mr. Dale asked whether dissolving the Graduate Studies Committee would affect whether a graduate

student serves on the Academic Council.

Prof. Phelps said that it would not.

Mr. Dale asked whether the graduate student representative, who has always been assigned to the Graduate Studies Committee, would then serve on another committee.

Prof. Phelps said it remains possible, of course, that the graduate student would be one of the six appointed to sit with the Graduate Council.

Prof. DeBoer said that neither Part 1B of the documentation accompanying the proposal nor the language of the current draft of the amendment to the *Academic Articles* specify how the appointments from the Academic Council to the Graduate Council will be made. He thinks that some language should be added to outline that procedure.

Prof. Phelps said that the appointments would be made in the same way that the standing committee appointments on the Academic Council are made—by the Provost's Office. Certainly, language could be added articulating that if members felt it necessary.

Prof. Kolman said that while she understood five of the six appointed representatives must be elected members of the Academic Council, she is not clear who the sixth representative might be. If it is to be an ex officio member, is the intent that the position will be filled by one of the deans—all of whom are already on the Graduate Council?

Prof. Hatch said that he believed the idea was to have a representative of the Faculty Senate serve as the sixth representative.

Prof. Phelps agreed.

Prof. Hatch said that an associate provost would be eligible to be the sixth representative as well.

Prof. Phelps agreed.

Prof. Constable said that it is very important to achieve a balance of fields on the Graduate Council. She wondered if specific language should be added to ensure that the six Academic Council representatives are neither all scientists nor all humanists.

Prof. Phelps responded that her committee discussed that issue and decided it best to leave that particular balancing task to the Provost's Office. It must make similar decisions when establishing the

membership of all the Academic Council's standing committees.

Regarding balance on the Graduate Council, Prof. Kantor said he assumes that elections would be held in the spring for the "at large" positions of the Graduate Council, that the six appointments from the Academic Council to the Graduate Council would occur by the first meeting of the Academic Council or very soon afterwards, and that—with an eye to balance—he would make the remaining four appointments very soon thereafter. In making appointments to the Graduate Council in the past, he has tried to balance disciplines as well as to draw people who may have a special interest in the University's graduate programs.

Prof. Mooney said that as she has made appointments to the Academic Council's standing committees for the past several years, she has tried to achieve balance among the colleges. No one college should dominate a committee. While under the current proposal, the Provost's Office will make appointments to the Graduate Council rather than to the Graduate Studies Committee—and a fewer number of appointments than have been made under the former committee structure—balance among the colleges will still be a goal. Thus, in addition to consulting Fr. Malloy and Prof. Hatch, the person who makes the committee assignments and appointments should consult Prof. Kantor as well so that there will be a good distribution of people and interests across committees.

Prof. Maurice said that under the Academic Council's current committee structure, all members are able to hear about the work of the various committees at the committee-report phase of Council meetings. If the proposal passes, she asked, will there still be some kind of reporting mechanism to allow all Academic Council members to stay knowledgeable about Graduate Council business?

Prof. Phelps said that the ability to keep the members of the Academic Council informed of Graduate Council agenda items was one of the reasons the proposal was structured as it is. It provides that those faculty members who are members of both the Academic Council and the Graduate Council will choose one of their number to be a liaison to the Executive Committee. That liaison will take Graduate Council matters to the Executive Council and also report to the Academic

Council as a whole, as do the chairs of the Council's standing committees.

Prof. Antsaklis asked how the appointment of six Academic Council members to the Graduate Council would affect the composition of the Undergraduate Studies and Faculty Affairs committees.

Prof. Phelps answered that the *ad hoc* committee members discussed this issue as well. One possibility is that not every member of the Academic Council would be an active committee member every year. In a given year, some members with particularly busy schedules might be able to "opt out" of assignment to the Council's standing committees.

Prof. Blum asked whether there might be some issues the Graduate Council might consider that the Academic Council will consider as well. She asked whether in such a case the Academic Council would be above the Graduate Council or parallel to it.

Prof. Mooney answered that if a decision of the Graduate Council requires amendment of the *Academic Articles*, the Academic Council must consider the matter as well. As she understands it, the Academic Council is the only body with the power to approve amendments to the *Academic Articles*. Of course, even approval of a particular amendment by the Academic Council requires subsequent approval by the President of the University and by the Board of Trustees.

Prof. Hatch said that nothing in the proposal implies that material normally discussed or decided by the Graduate Council must always come before the Academic Council.

Prof. Kantor said that the mission of the Graduate Council is set forth in the attachment distributed to members today: "The Graduate Council reviews the policies, practices and procedures of the Graduate School." Not all Graduate Council matters will become an agenda item for the Academic Council; however, the right of agenda included in the proposal guarantees that Academic Council matters can be presented to the Graduate Council if necessary. There will be other routine matters that come from the Graduate Council to the Academic Council. The proposal does not imply any changes to the *Academic Articles* other than to the charter for the Graduate Council.

Prof. Roche pointed out that in addition to changes in the *Academic Articles*, new academic programs approved by the Graduate School must also be approved by the Academic Council. The approval at the last Graduate Council meeting of a master's program in sacred music is an example.

Prof. Kantor agreed. Procedures are already in place, he said, for forwarding the work of the Graduate Council to the Academic Council for further action when that is necessary. Under those procedures, the advanced degree in sacred music approved by the Graduate Council will be taken up by the Academic Council next fall.

Prof. Phelps said that the procedure in the past has been for issues to go from the Graduate Council to the Graduate Studies Committee of the Academic Council, then to the Executive Committee of the Academic Council, and finally, to the Academic Council as a whole. By proposing to dissolve the Graduate Studies Committee, her committee would remove the one step that seems redundant in that process.

Fr. Malloy said that perhaps "integrating" two committees rather than removing one of them would be a better way to understand the proposal.

Prof. Mooney suggested a change to the language of the current proposal, which, she said, was drafted rather quickly and has not been reviewed by the committee or the Executive Council. The current language omits mention of the "larger group" included in Part 1 of the explanatory attachment to the amendment. The members of that "larger group," she said, are the six members of the Academic Council who are appointed to the Graduate Council plus certain overlap members—mainly, the deans—who will have right of agenda on the Graduate Council. She suggested that in the concluding paragraph to the amendment, the third sentence should read: "Those members of the Graduate Council who are also members of the Academic Council have right of agenda on the Graduate Council." Yet, a difficulty with that language, she noted, is that it should not be understood to mean that it is individual members of the larger group who have right of agenda. It must be clear that that it is the group that has right of agenda.

A member suggested using the words "collective membership."

Prof. Constable said she wonders why the proposal must involve dissolution of the Academic Council's Graduate Studies Committee. It seems that the "larger group" to which Prof. Mooney refers is, in fact, that committee. If the Graduate Studies Committee remains a committee, the members could then decide to meet separately when they deem it necessary. Also, by keeping those Academic Council members together as a committee, the word "committee" could be used in the proposal rather than the more unwieldy "the six members who are appointed from the Academic Council to serve on the Graduate Council plus the overlap members." Thus, rather than dissolving the committee, she suggested that it merely meet in a different way.

Prof. Phelps responded that the *ad hoc* committee was created because of the sense that the Graduate Studies Committee did not have enough work to do and that what it did do could be achieved by a much smaller body in conjunction with the Graduate Council. Rather than maintaining a kind of institutional fiction of two bodies, the committee's recommendation was to have one body—the Graduate Council—with significant representation from the Academic Council.

Fr. Malloy asked for a vote on the proposal to dissolve the Graduate Studies Committee of the Academic Council and to add six Academic Council members to the Graduate Council. He said that in voting, members should bear in mind that the language now before them may be clarified slightly to take account of the "larger group" issue.

The vote was unanimously in favor of the proposal.

### **3. Proposal from the Faculty Senate to add a research faculty member to its membership.**

Prof. Brown, chair of the Faculty Senate, explained that the proposal was relatively simple. When the Faculty Senate was reconstituted two years ago, the research faculty were inadvertently omitted from representation on it. There are about two dozen research faculty members—certainly, he said, enough to merit representation by one of their number. [See Attachment B]

Prof. Mooney said that as with the proposal to dissolve the Graduate Studies Committee, this proposal has the unanimous approval of the Executive Committee.

Fr. Malloy remarked that including a representative of the research faculty on the Faculty Senate seems to him to be a prerogative of the Senate. While he said that he doubts the proposal will be opposed, he opened the floor for discussion.

Prof. DeBoer said that he did not object to the proposal but did question one phrase in it: "the programs of military science shall have one Senate seat, with that senator representing all of those programs." As he understands it, the program of "military science" is the Army branch of the University's programs, and there are branches of Naval Science and Air Science as well. He asked Captain Shelton if he approves of the reference to those branches collectively as "military science."

Captain Shelton said that Prof. DeBoer is correct, but many people do consider all three together the "military science programs."

Fr. Malloy asked for approval of the proposal to add one representative of the research faculty to the Faculty Senate, which was approved unanimously. Fr. Malloy said that he approves the proposal as well, but final approval must come from the Board of Trustees.

### **4. Committee reports**

Before calling for the committee reports, Fr. Malloy remarked that in the 2002–2003 academic year, the Academic Council held several very intense meetings. This year the Council's business has been considerably more low key. The format of the Council is for committees to come forward when they are ready for approval of a proposal. At times, those proposals are controversial; at other times, they are not. He does not want the fact that there has not been a "meaty" item on the agenda this year to give the impression that the Council is shying away from controversial items. When those matters are presented to it, the Council meets its responsibility to consider them.

(a) **Graduate Studies Committee:** Prof. Marino said that after passage of the proposal today, the committee had no further business.

Prof. Kantor noted that there is one item coming out of the Graduate Council that will be presented to the Academic Council at its first meeting of the next academic year: the proposal for a master's program in sacred music.

(b) **Faculty Affairs Committee.** Prof. Mooney gave the committee's report for Prof. Nordstrom, who was at a conference. She said that the committee had brought forth many items to the Council as a whole over the past year. Those that remain are: (1) an amendment to the charter of the University Committee on Academic Technologies, which will be presented in the fall; (2) cleaning up the *Academic Articles* in regard to election procedures for various University committees and councils—an item for which a first draft is complete; and (3) the proposal to make Teacher Course Evaluations (TCEs) public, which is being considered by a committee composed of members from all three of the Council's standing committees.

Prof. Incropera said that the TCE subcommittee will begin working on a draft proposal next week, but he does not expect members to emerge from their upcoming meetings with a definitive recommendation. While members have had a very productive year, their plan is to expand the issue beyond publication of TCEs and consider other aspects of evaluating teaching and learning at the University. The subcommittee expects to bring the matter of evaluation to the entire Academic Council in the fall.

(c) **Undergraduate Studies Committee.** Prof. Preacher said that the committee has two unresolved agenda items: examining the University's use of Advanced Placement credit and departmental honors programs. In both cases, the magnitude of the task of gathering information from all parts of the campus prevented the committee from bringing a proposal forward this year. Having worked on the controversial issue of classroom scheduling in the past, committee members wanted to make sure—particularly with the Advanced Placement issue—that all constituencies affected by a change will understand its possible consequences. The committee now has a recommendation on the Advanced Placement issue for next year's committee to bring forward and a report on departmental honors for it to consider as well.

Prof. Mooney asked all committee chairs to send her a short report of their committee's accomplishments, attaching any items in progress. She will pass them on to her successor.

Prof. Hatch thanked all Academic Council members for their work this academic year on a variety of projects. Fortunately, he said, the Council was not faced with a controversial issue similar to that of last year's reorganization of Economics; yet, a lack of controversy at meetings should not be taken as a sign of inactivity. Much has been accomplished this year. Prof. Hatch attributed those accomplishments both to the Council's new relationship with the Senate—for when complicated issues arise, joint committees are created to devise solutions—and the design of the Council—which provides for committees to do the substantive work on issues and then bring them forward to the Council as a whole. Prof. Hatch thanked Prof. Brown, in particular, for stepping in to chair the Senate.

Fr. Malloy thanked Council members for their service as well. He noted how demanding the strategic planning and accreditation processes has been for many at the University this year and last, although the positive comments of the accrediting team have provided some reward for much of that hard work. While the team had many compliments about the University as a whole, one aspect it gave particular mention to was the mechanisms and procedures in place at Notre Dame for the consideration of important issues. As for the strategic plan, Fr. Malloy said, efforts at the University are now directed to presenting the priorities of the plan to those who could help fund them.

Fr. Malloy thanked the student members of the Council in particular for their service this year. He hopes, he said, they have learned that the representative participation of students, faculty, and administrators in the life of the University is a complicated business but one that exists to fulfill the University's mission of educating students.

In closing, Fr. Malloy and Prof. Hatch expressed their gratitude to Vice President and Associate Provost Carol Ann Mooney, who is leaving Notre Dame next month to become the president of Saint Mary's College. Prof. Hatch said that Prof. Mooney has done superb work over the years for the Academic Council, the faculty, and the University as a whole. She has been outstanding as a representative of the faculty—going the second and third mile to strive for fairness on their behalf and the good of the institution as a whole. He gave

special praise to Prof. Mooney's support of women at the University and her efforts to make Notre Dame a more diverse environment and said that he is deeply grateful to her for all that she has accomplished during her 24 years at the University.

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

Respectfully submitted,

Carol Ann Mooney