

ACADEMIC COUNCIL
Meeting of May 14 , 2012
McKenna Hall
3:30p.m. – 5:30 p.m.

Members present: Panos Antsaklis, Doug Archer, Robert Bernhard, M. Brian Blake, Thomas Burish, Laura Carlson, Darren Davis, Michael Desch, Margaret Doody, Dennis Doordan, Nick Entrikin, Mary Frandsen, John Gaski, Nasir Ghiaseddin, Roger Huang, Jeffrey Kantor, Peter Kilpatrick, A. Graham Lappin, John LoSecco, Christine Maziar, John McGreevy, Dan Myers, Nell Newton, William Nichols, Hugh Page, Catherine Pieronek, Donald Pope-Davis, Thomas Pratt, John Robinson, Jon Schwarz, Cheri Smith, Greg Sterling, Ann Tenbrunsel, Diane Parr Walker

Observers present: Kevin Barry, Earl Carter, Chuck Hurley, Warren von Eschenbach

Members and Observers excused: John Affleck-Graves, Rev. John Coughlin, O.F.M., Greg Crawford, Julia Douthwaite, Rev. Tom Doyle, C.S.C., William Evans, Rev. John Jenkins, C.S.C., Michael Lykoudis, Ben Noe, Ramachandran Ramanan, Neal Ravindra,

Members absent: Judy Fox, Jason Lovell, Alexander Martin, Ava Preacher, Laura Ritter, Brett Rocheleau, Jeffrey Schorey, Julianne Turner

Guests: Johannes Westerink

1. Welcome and opening prayer: Thomas Burish opened the meeting and invited Dean Hugh Page to deliver the opening prayer.

2. Approval of the April 25, 2012 meeting minutes:

The minutes were unanimously approved.

3. Undergraduate Programs in Civil and Environmental Engineering and Earth Sciences:

Dean Huge Page introduced the invited guest, Prof. Johannes Westerink, to discuss the proposed undergraduate programs in Civil and Environmental Engineering and Earth Sciences. Prof. Westerink made a presentation about this program to the Undergraduate committee of the Council, which had no objections to the details of the program. The committee commended it enthusiastically to the Executive committee to be brought to the floor of the full Council. It was noted that Dean Peter Kilpatrick, College of Engineering, was also present to support the discussion as needed.

Prof. Westerink began with an overview of the proposed program. Currently, there are two degree programs in the department. One is a Civil Engineering degree that focuses both on structural and environmental engineering. The other degree program is Environmental Geosciences, which is, in practice, an Earth Sciences degree that focuses on the environment and provides an extensive education in chemistry, while also including a large quantity of traditional geology material. This second major, characterized by “low energy,” has had “low” enrollment in the recent past.

The department is proposing to restructure the programs in order to merge all the environmental activities in the department. The Civil Engineering program would continue with a re-focus on structures and hydraulics. This latter could encompass anything from forces in the off-shore region, to river forces, to wind forces; this is a more classical Civil Engineering program, containing a strong focus on “mechanics, force, and a good degree of mathematics.”

The new program takes Environmental Engineering out of the Civil Engineering degree and merges it with the department’s Environmental Geosciences degree; the proposed name is “Environmental Engineering and Geosciences.” This program will encompass the study of the environment. It will merge science and engineering and contain components of chemistry, hydrology, and earth sciences. The latter is the larger system within which human problems in the environment are placed.

The proposed plan merges the two older curriculae into a “very exciting and unique science and engineering program” that will be “quite cutting-edge.” There will be two branches. One is an Environmental Engineering degree, which will be accredited as an engineering degree. The other is an Environmental Science degree, which will be accredited as an earth systems degree.

The benefits which will obtain from the proposed plan are many. It will align the undergraduate degree program with faculty strengths. It will synergize the faculty teaching in the department. There will be a simplification of the number and type of courses offered. It will increase enrollment numbers in the courses offered. It will allow the teaching load across the department to be effectively decreased. The proposed change makes clear where the environmental program is housed within the Engineering School. Again, this should increase enrollments. Finally, the proposed change will give ND a “unique” degree program.

Dean Chris Mazier asked whether there were still steps to execute to obtain accreditation for the new degree. Prof. Westerink explained that a program must be “run a number of years” before seeking accreditation. It will not, ultimately, be a Civil Engineering accredited program; rather, it will be accredited as Environmental Engineering, with a separate accreditation process. The department has reviewed the rules and guidelines and it has engaged an evaluator for the Environmental degree, who has okayed it thus far. Dean Mazier asked about the impact of the pending accreditation on students who graduate with the degree prior to the accreditation. Prof. Westerink noted that there would be an appropriate pathway to licensure.

There was a motion to approve the proposed plan, and the plan was unanimously approved. Mr. Burish thanked Prof. Westerink for his presentation.

4. Minor changes in the Undergraduate Academic Code:

Dean Huge Page noted that there had been an earlier discussion of these changes; today’s handout represents a final version of the minor changes proposed to the Academic Code for undergraduates; the Undergraduate committee proposes that the changes be approved en masse.

Dean Page briefly reviewed the changes. There are some changes to section 1.3 help to clarify the readmission process. There are some changes in section 3.3.8 which clarify the administrative process of changing a student’s ‘X’ grade. There is a simple change in section 4.1 which clarifies grading processes.

There are changes in section 4.6 which clarifies the nature of Summer Session, including a clarification of the process of defining an academic probationary period for a student (as that impacts the ability of the student to obtain removal of that status by taking courses in the Summer Session). There are changes in section 5.6.3 which clarify the distribution of Latin honors to students who are seeking two undergraduate academic degrees.

Dean Page noted that, of course, as soon as any code is approved, the necessity of making changes for clarification and process will occur. Nonetheless, the committee asks the Council to approve these proposed changes en masse.

Prof. John Robinson asked, in reference to section 3.3.8, about 'X' grades which are involuntarily earned by students who temporarily withdraw from the university (for non-academic circumstances) for periods of time longer than one semester. Dean Page explained that the 'F' grade could be changed by a faculty member's simple submission of a grade change report. The student would not be burdened by a permanent 'F' grade under such circumstances.

As there were no further questions, there was a motion to approve the changes proposed. The motion was unanimously approved; Mr. Burish thanked Dean Page for his presentation.

5. End of Year Reports of the Academic Council subcommittees:

a. Advanced Studies committee: Prof. Panos Antsaklis

The Advanced Studies committee worked on a new program; it was a proposal leading to a Master's of Science in Patent Law. The proposed program was approved by the Graduate Council and was then submitted to the Academic Council through the Advanced Studies committee. The Council recommended some changes and approved the program in January, 2012.

The largest project of the committee was the creation of an academic code for the Graduate School. This process began in the 2011-2012 academic year and continued through the current academic year. The Graduate School was the lead in this lengthy process. The proposed code was approved by the Graduate Council and came to the committee in Spring, 2012. The Council approved the new Code at the April 2012 meeting.

The Code applies to graduate students; it does not apply to advanced studies students in professional programs, such as those in the Business School, the Law School or the School of Architecture. The Law School has in place its own academic code, while the Business and Architecture Schools have something in place akin to a code. The Advanced Studies committee will undertake a discussion of these various advanced studies codes in the coming academic year.

The committee also dealt with interaction with institutions abroad in this past year. Recently, there has been a dual degree program created with a South American higher education institution, in the field of Civil Engineering. The committee recommended to the Provost that a task force or working group be convened to formulate guidelines for the future interaction between ND and institutions abroad. The committee was not expressing concern for the process undertaken in the design of the dual degree program previously mentioned, however, many universities in the United States are reaching out to institutions outside of the US. If this will continue to be a route taken by ND, it would be beneficial to

have a framework in place for this kind of interaction. This recommendation appears as an attachment to the committee's report to the Council.

The final issue undertaken by the committee concerned quality of life concerns for advanced studies students at the university. This issue was taken up in the 2011-2012 year; the committee recognized the need for changes and improvements in some areas, especially in housing and married student housing. A representative of Student Affairs in the Graduate School made a presentation to the committee in fall, 2012 and submitted an updated report to the committee in April 2012 which detailed improvements which had been made. The committee has submitted a recommendation that the university undertake a feasibility study to replace married student housing. This study should include the feasibility of replacing the University Village housing on its existing ground or to make use of other university property. The recommendation suggests that the university undertake a "quality of life analysis" for graduate students. This was included as an attachment with the committee's report to the Council.

Prof. Antsaklis thanked the Graduate School and departing Dean Sterling for its hard work on these issues. Mr. Burish thanked the committee members for their hard work.

b. Undergraduate Studies committee: Dean Huge Page

Dean Page reported that at the beginning of the 2011-2012 academic year the committee identified five issues deserving of its attention:

1. the background history for the awarding of dual undergraduate degrees at the university;
2. advanced placement credit;
3. the relationship between CIP scores and course grades;
4. the level of engagement—intellectual, social, spiritual, global, etc.—of undergraduates;
5. the nature of the undergraduate experience as such applies to discernment and formation.

Of the aforementioned, it was decided that the first was most pressing. The University Registrar, Chuck Hurley, commissioned an initial report that provided background information and metrics on the awarding of dual degrees at ND since 1952. Since 2005, 135 students have been awarded two undergraduate degrees. The largest numbers have been in Arts and Letters and Business; a BA/BBA combination (42); Arts and Letters and Science; a BA/BS combination (43); and Engineering and Arts and Letters; BS in Mechanical Engineering/BA (24). The committee will undertake a full review of this report in the upcoming academic year. This issue will receive priority attention in the upcoming academic year, in part because there has been a recent proposal approved by the College of Science for a dual degree program in Physics, in conjunction with St. Mary's College.

The committee has postponed consideration of issue #2, advanced placement credit, to the next academic year.

The committee met a total of 13 times from Sept. 2011-April 2012. The majority of its attention was devoted to the review of proposals for new undergraduate majors and to the consideration of additional proposed changes to the undergraduate academic code. Five new majors were considered and

recommended by the committee to the Council. In general, this process proceeded smoothly and allowed committee members to gain new insight into how undergraduate majors are formulated and vetted at the college level, as well as some of the issues that impact effective implementation, resourcing and growth potential.

In its work with the undergraduate Academic Code, the committee considered and approved several minor changes needed to clarify ambiguities in language. It also began what will be a much more probing conversation about regulations in the code that elicit strong response among some students and faculty. Such sentiments point to differences of opinion about educational philosophy and the best practices in administration and require further discussion. Moreover, review of the Code by the Office of the University General Counsel has revealed the need for a systematic expansion of the language of the code, as regards the appeals processes. The Chair requests the Provost's Office appoint a task force to begin working on these ambiguities and lacunae in Summer 2012.

At its final meeting, the committee received reports from the four university standing committees reporting to the Undergraduate Studies committee. The final version of these reports will be appended to the final version of this report as submitted to the Academic Council.

Mr. Burish thanked the members of the committee for this report.

c. Faculty Affairs: Dean Peter Kilpatrick

The committee addressed two major issues in the academic year 2011-2012. The first was a revision to the Academic Articles on the topic of severe sanctions for serious cause, and the second was the external activities and conflict of commitment policy.

On the first issue, the committee, with the assistance of general counsel and in particular Brandon Roach, developed the good work of the committee from the previous year, and presented an in-depth revision of Academic Article III, Section 8 on severe sanctions for serious cause. The revisions presented contained several sections and pertained to the definition of serious cause, serious sanctions, procedures for imposing serious sanctions, possible resolutions, right to a hearing, hearing process, right to an appeal, confidentiality, dismissal, indemnification, and extensions. The proposed revisions were presented to the Council in January, 2012 and approved by the Council. Two potential friendly amendments were also proposed at that time; these related to the composition of the appeals committee and to possible extensions of deadlines in the appeals procedure. The revisions thus proposed passed unanimously. The two friendly amendments were considered by the committee in subsequent meetings. It was decided that the faculty composition of the appeals committee would stand as is in the proposal reviewed at the January meeting. The articles related to extensions was prepared by Brandan Roach and presented at the February 20, 2012 Council meeting; they were approved unanimously.

On the issue of the policy of external activities and conflict of commitment, a good working draft was produced, thanks especially to John Robinson and Jim Seida, in Spring and early Fall 2011. The committee considered and revised the draft through early Spring 2012. A substantial revision was vetted for comment through the Provost's website and through the college councils. As of early May, 2012, more than 40 separate comments had been received. The faculty has expressed a variety of concerns, and these concerns have been largely addressed through a number of additional minor revisions. The

Academic Council
May 14, 2012

committee will continue to work on the revision of this policy. The next revision will be vetted with some of the faculty who have expressed these concerns. The proposed policy will then be brought before the Council for comment and approval.

Mr. Burish thanked the committee members for their work.

d. Report on salary equity studies: Dean Chris Maziar

The Office of Institutional Research conducts a yearly study on salary using as independent variables gender, race, ethnicity, rank, time in rank, terminal degree or last highest degree, etc. The purpose of the study is to identify whether there is any indication of bias related to these topics in the statistical analysis of faculty salaries. The Provost's Office received this report in May, 2012. An examination and comparison of this report with previous reports reveals some notable movement in some categories, both positive and negative. The office has dug into the records at the unit level (individual faculty records). This examination found cases of part-time faculty whose salaries had not been adjusted to reflect full-time status and some examples of salary levels reported at double the actual amount. These errors caused concern about the way in which the data was fed into the model. Therefore, Dean Maziar asked the Council for permission to report back on this topic at the first 2012-2013 meeting of the Academic Council.

Mr. Burish verified that the Council gives permission for Dean Maziar to report on this subject at the first 2012-2013 Academic Council meeting.

Mr. Burish, on behalf of Father Jenkins, thanked all for being members of the Academic Council. This is a group which is thoughtful and deliberative in what it does. Faculty governance and administrative governance, while not perfect, runs well here at ND as compared to many other institutions. Mr. Burish thanked members for the care and time they give to ensuring that this is so. It is a good venue to bring together these various groups in a regular and democratic discussion of issues.

Mr. Burish also especially thanked committee chairs, those on the Executive committee, and Dan Myers who organizes the many details of these meetings. On behalf of Father Jenkins, he thanked members for their work. To those who will not be back in the fall, he thanked them for their work; to those who will be back in the fall, have a good summer and come back well rested.