

ACADEMIC COUNCIL
MEETING of December 11, 2012
McKenna Auditorium
3:30 p.m. – 5:00 p.m.

Members present: John Affleck-Graves, Douglas Archer, Maxwell Brown, Andrew Cernicky, Darren Davis, Jo Ann Della Nova, Kevin Dreyer, Margaret Doody, Dennis Doordan, Nick Entrikin, Stephen Fallon, Tom Flint, Umesh Garg, John Gaski, Nasir Ghiaseddin, Stuart Greene, Erin Hoffmann Harding, Roger Huang, Rev. John F. Jenkins, C. S. C., Jeff Kantor, Peter Kilpatrick, Chris Maziar, John McGreevy, Dan Myers, Nell Newton, William Nichols, Hugh Page, Cathy Pieronek, John Polhamus, Thomas Pratt, Ava Preacher, Ramachandran Ramanan, John Robinson, Cheri Smith, Carter Snead, Ann Tenbrunsel, Zach Terranova, Alain Toumayan

Observers: Kevin Barry, Earl Carter, Chuck Hurley,

Members and Observers excused: Panos Antsaklis, Robert Bernhard, Thomas Burish, Laura Carlson, Michael Lykoudis, Don Pope-Davis, Erinn Rigney

Members absent: Don Bishop, Greg Crawford, Michael Desch, Brendan Dolan, William Evans, Marya Lieberman, Michael Masi, Ben Noe, Neal Ravindra, Jeff Schorey, Diane Parr Walker, Yiting Zheng

Guests: Susan Blum, Carmen-Helene Tellez, Peter Jeffrey, Mitch Wayne, Bei Hu, Mary Goss, and Ed Conlon, Tracey Thomas--recorder

1. Welcome and opening prayer

Father Jenkins opened the meeting at 3:30 p.m., welcoming members, and invited Margaret Doody to give the opening prayer.

Guide us O Lord in our decisions, making us mindful of the challenge and joy of learning and teaching. Bless us who teach and learn at Notre Dame in the coming season of joyful renewal. Amid the dazzle of lights and the noise of possessions let us find peace and love .May we never be found wanting in love to our neighbors and a sober grateful sense of our calling.

As we come to the end of this year 2012 and the beginning of the New Year of 2013, let us remember the illumination that shines in endings, and the blessings that await in beginnings. Enlighten our souls, minds, and hearts. In the words of the English poet and clergyman John Donne, “Bring us, O Lord God, at our last awakening into the house and gate of heaven to enter into that gate and dwell in that house, where there shall be no darkness nor dazzling but one equal light, no noise nor silence, but one equal music, no fears nor hopes but one equal possession; no ends nor beginnings, but one equal eternity; in the habitations of thy glory and dominion.”

2. Approval of the minutes of the November 13, 2012 meeting

The minutes of the November 13, 2012 meeting were unanimously approved, pending corrections in the list of attending members.

3. Conflict of Commitment Policy

Prof. Jeff Kantor, chairman of the Faculty Affairs Committee, brought to the Council the Conflict of Commitment Policy for approval. The policy was brought to the Executive Committee prior to today. The committee worked to establish the professional obligations of faculty members to the university and to address conflicts that might arise from these obligations. The policy, if adopted, would replace the existing Policy on Outside Activities. The need for a new policy comes from two factors: 1. Expectations of funding agencies that universities can assure them the faculty are doing the research proposed by them; 2. Opportunities for engagement that faculty have, such as at Innovation Park, are growing and expanding. Opportunities for conflict are thus increasing.

The committee has spent a long time on this policy, and it has gone through several iterations; Prof. Kantor has been involved for one and a half years. Feedback has been collected from many sources, including the Faculty Senate. Prof. Kantor noted that the policy addresses three main points: it defines obligations to the university, it establishes thresholds of disclosure, and it establishes an appeals procedure.

Father Jenkins invited members to discuss the proposed policy in an informal way; he noted that the council would return to parliamentary procedures at the time of voting.

Prof. Tom Pratt asked a question related to Group 4 activities. He read from the policy and asked for clarification of the term ‘fulltime activity outside of the university during any semester.’ He asked if that referred to work done off the physical campus of Notre Dame. Prof. Kantor stated that the committee was trying to avoid a distinction between inside and outside the university. The term means employment by someone else whether on or off the campus.

Prof. John Robinson addressed the group. He noted that he was speaking both for himself and for the Faculty Senate. He also complimented Prof. Ann Tenbrunsel for the many years she has invested in the development of a conflict of commitment policy for the university. He noted how contentious this policy has been, and reported that at the most recent meeting of the Faculty Senate, 13 voters rejected it outright and 12 voted to reject it unless a particular change were made. He stated that even with the change, the policy will not be ‘popular’ with the faculty or with the Faculty Senate.

The point Prof. Robinson identified as needing to be changed was in Group 4. He said that no one wants and would hate to inflict work on the Provost's Office. He said that the Provost's Office need not be involved in approving things 'that really require nothing more than a dean's approval.' This is simply an empirical question, and it is very difficult to get a sense of university-wide opinion, as Prof. Kantor had noted. Most faculty are 'siloed' a bit. Prof. Robinson invited members to look at the first of the two items, about holding office, editing a journal and 'any other potentially compromising activities of five or more work days per month' (on the average, as opposed to one particular month when one is really busy). Prof. Robinson said that his sense is that five days is too low a number. He noted that he had earlier failed to convince the Faculty Affairs of this point, but he asserted that he believes the document would be better if the five were changed to seven. He noted that he had not calculated this figure on the basis of data as he has no data. Rather, he said it is a question for the Provost's Office as to how many faculty will be required to report to it if the number is five; how many faculty need the policing of the Provost rather than the policing of the chair or dean. Noting that there are other, minor problems with the document, he concluded by saying that this problem is 'the only one that strikes me as being a senseless imposition of work with a very small yield in terms of the goods that Jeff mentioned.'

Father Jenkins asked for comments on Prof. Robinson's suggestion. Prof. Dan Myers noted that the Provost Office defers to the Council to determine the threshold because it is very difficult to predict how many faculty are actually going to be subject to any particular threshold. He suggested that it might be necessary to live with the proposed threshold in order to assess whether too many people are being asked to report; in that circumstance, there could be a request for a revision. It is at this point unclear what the appropriate level will be, whether five or six or seven. He said the Provost's Office would defer to the Faculty Affairs committee as to the threshold. Father Jenkins asked Prof. Robinson if he would like to make an amendment of his suggestion.

Prof. Robinson moved that in Group 4, first bullet the word five be changed to seven. Prof. Tenbrunsel added that if that is moved, then the first bullet point in Group 3 should be changed to 'less than seven.' Father Jenkins invited comments on this amendment to the document.

Prof. Kantor noted that it was the goal of the committee to establish thresholds and the process described in the document. By mentioning the Provost's Office, what the committee is trying to do is position responsibility at the Provost's Office for this level of activity, recognizing that these approvals will be substantially delegated except in exceptional circumstances. Prof. Robinson concurred.

Prof. Chris Maziar asked Prof. Kantor if the committee did any benchmarking of other institutions with regard to thresholds for triggering different levels of oversight. She said that her sense of a typical threshold is roughly a day a week, or four days a month. Prof. Kantor noted that five days is in line with the existing Policy on Outside Activities. Prof. Margaret Doody also noted that editing a book is a time consuming activity that usually does not enrich the editor, and therefore this activity should be considered a form of contribution to the whole.

Since there were no other comments on the amendment, Father Jenkins asked for a vote on the amendment proposed by Prof. Robinson. There were 14 votes in favor of the amendment; there were 13 votes opposed to the amendment; there were no abstentions. Therefore, the amendment passed.

Father Jenkins invited other comments on the policy.

Prof. Tom Flint, noting that the policy is ‘trying to do the impossible,’ said that still, it falls short of what perhaps what we might like to see in this kind of document. He stated that the revision process can lead to problems in a document, and he cited a number of such problems he has found. The examples provided indicate a pattern of weak and/or conflicting definitions throughout the document. The word ‘professional’ for instance, is inconsistently included in similar statements throughout the document.

As a final point, he addressed a question to the committee: During earlier iterations of the document, under Group 1 activities, there two things that were always listed that elicited the anger of many faculty members. These were ‘engaging in family or personal activities,’ and ‘participating in community activities.’ These two are no longer listed under Group 1 activities. He contended that there’s no definition of what makes something a Group 1 activity. Therefore, the way the document is now written, no one knows whether those constitute potentially compromising activities that would go under Group 1; or, if they took more time, under Group 2, etc. There is no indication of where, if at all, those kinds of activities should be listed. Prof. Flint asked whether activities such as these mentioned would still be considered potentially compromising. Given the definition on page three, it seems like they are, and yet the exclusion from the final version makes one wonder if there was an intention not to include them.

Prof. Kantor responded to this comment and invited others of the committee to respond as well. He said that the committee responded to the input it has received and eliminated references to family life. It was determined that this document should not be a substitute for the professional evaluation of a faculty member that comes with the CAP process. So, one’s performance on the job is subject to CAP and the other procedures that are in place. This document does not define professional progress; this document defines conflicts with one’s obligations. Prof. Flint asked for further clarification: is the answer that engaging in those two types of activities would *never*

be considered potentially compromising activities? Prof. Kantor stated that there is a question of degree, and he noted that this document is not intending to speak to that issue. The document does not say anything one way or the other on this point.

Prof. Robinson (noting that his comments do not come with the endorsement of any committee) directed members' attention to the third page of the document, to the section of definitions, and specifically to the definition of 'conflict of commitment.' He moved that the word 'professional' be inserted in front of 'activity' in the second line of that definition. Simultaneously, and necessarily, he noted that an additional change would be necessary on page four of the document. At the section, 'Potentially compromising activities,' at the sixth line, he proposed deleting the words 'or other.' He suggested that in making this change, the council will have 'addressed 99% of Prof. Flint's problem.' As Prof. Kantor has indicated, there are 'lots of things faculty members can do wrong.' This addresses just one small portion of them and is only meant to do so. He stated that in making the change he has proposed, it will make it very clear that this is about a person who in his/her professional life is active and involved but in ways that are 'pressing in on his/her primary obligations as described in the beginning of the document.' And it would mean that if the Provost is concerned about someone's soccer coaching, for instance, it would not be covered by this document, but would be covered by some other document or by a general policy.

Father Jenkins invited discussion of Prof. Robinson's amendment. Prof. Flint offered a friendly amendment to that amendment. Under 'conflict of interest' under the definitions section, the personal gets in there as well. He asked Prof. Robinson if he would consider it a friendly amendment to his suggestion that that also be eliminated. Prof. Robinson said that the problem is that it is likely the conflict of interest definition is conceptually linked to the conflict of interest policy. Since he does not know what that policy is about, he would decline to touch that definition.

Father Jenkins asked for a vote on the amendment offered by Prof. Robinson. There were 26 votes in favor of this amendment; there was one opposed; there were no abstentions. The motion passes.

Father Jenkins invited members to make further comments on the Conflict of Commitment Policy. Prof. John Gaski stated that the policy 'needs some questioning.' His first response was that it was an innocuous policy, but when he observed the negative responses of so many of his colleagues, it seems fair to conclude that it 'may be too dangerous in its present form to risk relative to whatever problem that it is attempting to solve, which may be solved in some lesser ways.' What is needed is more of a scalpel approach. He noted how much progress has been made over the years and the decades, in terms of harmony between the faculty and administration, and he said that this policy could cause a setback. Evidence of that would be the

unanimous Faculty Senate vote against the present form of the policy. That shouldn't be taken lightly.

Prof. Gaski turned to specific questions about the document. In Group 3, section 5, he asked if this was intended to supplant the current faculty handbook on "outside activities." When told yes, he noted that this part of the new policy is in conflict with the old policy, and he also noted that the new policy represents a curtailment of rights the faculty has had. The amount of time is being restricted to one work day per month from a standard of one work day per week before approval is needed. It was pointed out that this section was also changed in the vote on the amendment to Group 4. The sentence should now read 'more than one work day but less than seven.' Prof. Gaski noted that approval is still needed for more than one work day. Prof. Kantor replied that the current policy is 'not a blanket approval of outside engagements; those also require approval.' Even up to the threshold of one work day per week, outside engagements are 'subject to the approval of the chair and dean.' Prof. Gaski read from the current policy. He interpreted the policy to say that a faculty member is allowed up to 4 1/3 days per month; anything beyond that requires approval. Prof. Kantor deferred to someone who has the policy in front of him or her. The policy was passed to Prof. Kantor. Prof. Kilpatrick noted that under the current policy, a faculty member must disclose to the chair and dean an intention to engage in consulting. He stressed that it is not a right but a privilege. The dean/chair can always say no. Routinely, administrators have approved this up to a day a week. Clearly, the policy says one has to have it approved. The new policy is simply stating that faculty must have outside engagements approved, between one work day per month and seven work days per month. Prof. Kilpatrick said there does not appear to be a conflict between the current and new policies; in fact, he noted, the new policy is more generous. Under the new policy, faculty can engage in outside activities one work day a month with no approval.

Prof. Gaski stated that the new policy also applies to potentially compromising professional activities; he asked if the current policy also uses that language. Prof. Kantor said the new policy does not use that language; it refers to outside activities of any kind. And it refers to a memo with a proposed list of outside activities that would require approval. Prof. Gaski said the difference in language leads to a more fundamental problem: the same activities can be considered under different categories. Prof. Gaski referred to professional--type outside activities of the highest order, the ones that are mentioned throughout the document, such as editorial work or professional association office. Those are elsewhere defined as among our 'primary obligations to the university,' but they could also be defined as compromising obligations.

Prof. Kantor responded. He noted that editorial activities were discussed at length in the committee since they mean such different things in different disciplines. The committee had a difficult time with that particular example, and the document reflects the challenges. Prof.

Gaski stressed that the potential problem he sees is that the same fundamental higher order professional activities can be defined in two incompatible categories.

Prof. Tenbrunsel noted, in reference to Prof. Gaski's point about approval needed, that the main reason it has taken so long to craft a document that would be acceptable to faculty is that the way the current policy has been implemented is different than the way it is stated. That discrepancy then leads to the impression that the new policy is more aggressive when, in fact, it is more lenient. She noted a real improvement in the new policy, which includes an appeals process. This process does not exist under the current policy.

Dean Newton noted that an activity can be both extremely valuable and a conflict. She gave as an example that when a law faculty is president of a learned society, s/he is unable to teach in that year. Trying to teach and hold this other fulltime job would definitely compromise the faculty member's teaching. She said that it is clear that some activities could be both very valuable to the university, which is why the chair would approve it if possible, and yet could be very compromising if it were simply added to all the other obligations of the faculty member.

Others agreed: What makes an activity potentially compromising is the amount of time that it engages. Doing editorial work as a member of an editorial board of a journal that does not meet a threshold is not potentially compromising, whereas if one were going to take over editorial responsibilities that were beyond a threshold, that would move the activity into a different category. There is no incompatibility there. Prof. Kilpatrick agreed; it is the threshold that triggers the potential for compromise.

Prof. Doordan, a member of the Faculty Affairs committee, noting that he represents a discipline in which many members of the faculty also run small businesses called professional practices, pointed to one of the significant changes, for him, in the new document. The last paragraph of the preamble recognizes discipline specific or discipline appropriate situations. That means there is a process for recognizing discipline specific situations, and that's an important addition.

Prof. Flint pointed to two other problems in Group 4 as it is currently written. The general thrust of it suggests that what is being talked about are activities that are 'continuing' activities. But there is nothing in the document that actually states that; therefore, any 'one-off' activity that takes seven days in a particular month would now require approval of the Provost. He gave as an example being part of a review of a department at another institution. He wondered if it was a wise thing to be doing that. He made a second point, concerning the language. It says that the approval of this sort for a Group 4 activity can typically have a lifespan of no more than four years. He used himself as an example, noting that he is an editor of a journal that would fit under Group 4, even though he has never gotten the approval of Provost for that activity (and he wondered if he would be grandfathered in or if he would need to approach the Provost to see if

he can still remain the editor of the journal). He stated that the language of the document ‘does not exactly encourage faculty’ to accept positions with journals that ask for longer terms. In fact, he asserted that the policy would be discouraging faculty from thinking of taking up those kinds of positions. He stated that he doubts the wisdom of discouraging faculty from participating in these activities.

Colonel Carter asked for a clarification from Prof. Kantor about the preamble which he described as advocating involvement in government and community activities that contribute to the public welfare. He noted that among the activities mentioned was holding office in a scholarly group, but what was not mentioned was holding public office. He asked about school board office or a state representative as possible outside activities. Prof. Kantor said that the committee was not trying to be comprehensive in describing every activity a faculty member might be involved in. Instead, the committee tried to be representative. He agreed that there is nothing specifically opposing the kinds of positions Colonel Carter has named; they do not necessarily represent a too large time commitment nor are they a potential conflict of interest. Prof. Maziar stated that these engagements are addressed in a different university policy.

Prof. Kevin Dreyer asked for clarification about the use of the term ‘on average’ in Group 2 and 3 but not in 4. Prof. Kantor, noting that the intention was that the average be applied in each case, accepted the addition of the words ‘on average’ in Group 4 as a friendly amendment.

Prof. Maziar asked about the time period over which the average is done—a calendar year, an academic term, or a different time frame? Prof. Kantor said the committee was silent on that for precisely the reason that it is difficult to quantify these things in the first place. Prof. Maziar, speaking as one who might be responsible to administer such a policy and in the interest of equitable treatment across the university, advised that a term be identified. Prof. Kantor said that while the committee had envisioned that faculty would keep track of the hours of outside engagement, it was recognized that this might be impossible across all disciplines. Therefore, the average was meant by the committee to be over the academic year.

Prof. Robinson commented that if the minutes reflect that the sentiment of the committee was that on average was meant to be on average of the academic year, then the document would not need to be formerly amended.

Prof. Gaski stated that once the Council accepts that ‘the very same phenomenon can reside in two incompatible, basic categories, once it accepts that a primary activity can be compromising to another primary activity,’ then as soon as that is enacted, every faculty member can then make the claim that his/her teaching schedule is compromising to all the other primary activities. Faculty can claim that the department chair or other administrators are imposing a violation of

this conflict of commitment policy. He said that ‘a can of worms’ will be created if there are not more definite categories.

Prof. Robinson said that the policy statement describes what a primary professional commitment is, and it is, unsurprisingly, teaching, research and service. It is not the case that faculty have a primary obligation to be engaged in editing journals or running professional organizations. A faculty member will not miss a pay raise or risk firing if s/he is not doing those types of activities. So, while they are very important activities, and there are two paragraphs devoted to the significance of work done outside the university on the first page, yet, there is not the contradiction that Prof. Gaski is concerned will occur. The primary obligations are teaching, research and service, and certainly research and service can ‘spill over;’ however, if it is the case that editing a journal or serving on a professional organization board begins to press on teaching duties, then that is when this policy kicks in. Prof. Robinson said that while it may be hard to quantify this, it is easy to see.

Prof. Gaski stated that there are other university documents that do describe and classify such professional activities as editorships and professional association offices as among faculty’s primary obligations. When standards for promotion use language such as ‘these things are accepted,’ then there is no question that those are defined as among faculty’s primary obligations.

Dean Kilpatrick offered his perspective. He said that it is only in the rare case that these kinds of activities will take more than seven work days per month, plus the discretionary time available to faculty. If it does, he suggested that by definition that is a conflict of commitment. Thus, the conversation revolving around categories or that one’s teaching is going to be put into conflict with other primary obligations is a specious argument. The rare case ought to trigger a conversation to the Provost’s Office.

Prof. Gaski asked, what is the problem the proposed policy is intending to solve? Are there case examples of overreaching by faculty members? Prof. Kantor said there are two categories of problems: One is the question of Innovation Park. The faculty who are connected with Innovation Park seek a process that would give some guidance as to who approves what, and that gives assurance that approvals can be obtained and that there is an appeals process. Two is pressure from federal funding agencies which want institutions to provide assurances that their faculty can meet obligations that are being proposed in the research proposals.

Prof. Gaski asked whether the one page in the faculty handbook (the current policy) addressed that adequately. Prof. Kantor said no; the current policy is silent on so many issues, that it is insufficient for the current need. It describes a single process of a proposed memorandum of understanding regarding outside activities; so it talks about engagement with outside activities,

with no appeal process. It does not speak to other things such as editorships, etc. Prof. Gaski suggested that there might be good reason for this silence. Prof. Tenbrunsel supported Prof. Kantor's point by noting that benchmarking shows that other universities are seeking similar policies; she named Stanford, MIT, and Minnesota as examples. She noted that ND's current policy is significantly behind its peers. It was last updated in 1987. In terms of complexity of thought and process, ND is currently behind other institutions.

Father Jenkins asked for a vote to approve the document as amended. 28 voted in favor; 3 opposed, and 1 abstained.

Father Jenkins said the document passed and that he approved the policy. He thanked all for their help.

4. Joint Physics program with Bethel College and St. Mary's College

Dean Huge Page reported that the Undergraduate Studies committee has reviewed both proposals as they were presented by colleagues from the College of Science. The two faculty members who represented the two proposals, Mitch Wayne and Bei Hu, were present to answer questions. The committee has approved both proposals and commended them to the Executive committee for further action and to bring them to the Council. Dean Page opened the floor for discussion.

Prof. Cathy Pieronek asked a procedural question about why these proposals have come to the Council for approval. The College of Engineering has one dual degree program with St. Mary's and fifteen other programs including one with Bethel that have never come to the Council for approval. She noted that these programs have existed in some form since 1961. She asked why, when the programs are not technically new degrees at the university, but rather they govern how transfer credits apply to existing programs.

Prof. Wayne said the two programs proposed today were modeled on the programs of the College of Engineering; Prof. Pieronek added that COE is '100% supporting the programs, just not the necessity of continually bringing them to Academic Council.'

Prof. Bei reported that when the proposal was brought to the Registrar, they were told the proposal should go through the Academic Council. Prof. Myers said there is some ambiguity about what comes to the Council: what are supposed to come to the Council are new degree programs. While it is a little difficult to interpret whether these programs fit into that category, it was determined to 'play it safe' and bring these proposals to the Council.

Ava Preacher noted that dual degrees within the university are different than dual degrees from two different institutions. It is an enormous distinction; ND is only giving one degree to the

students. She added that it seems odd that the students will earn two degrees. She mentioned that the students raised a concern of interest: they felt they had gone through all of the ‘weed out’ courses at ND and felt that their degrees were deficient because they were only getting the ND degree, whereas the students from St. Mary’s and Bethel were getting two degrees. She noted that it was not clear what benefit ‘in the world’ would accrue to the students, since they will receive two physics degrees.

Dean Kilpatrick said that if the degree from Bethel or St. Mary’s is taken away and just the ND degree is considered, then the situation is really no different than a student transferring to ND, getting transfer credits and then completing the degree at ND. Since that does not require approval from Academic Council, then this situation is not any different than that of an ordinary transfer student.

Dean Page said that while there is an ambiguity, there is a certain value in members of the university who serve on the committee and of this body being more aware of the range of things that go on from a curricular point of view, even if just for informational purposes. Having this sort of information made clear to a larger body of university members is not harmful; indeed, for informational purposes, it is a good thing, considering the continuing degree of complexity that is growing within the university.

Prof. Dreyer commented that unlike a transfer into the university, there is a question of a student receiving credit twice for the same course at two different institutions. It may not impact the admission process or how students are accepted and how they are treated once they are in that program. However, there is this other question which is raised, of the double credit.

Prof. Pieronek made a friendly amendment to the St. Mary’s proposal to make it look identical to the Engineering degree, which it is not currently. This had been discussed with St. Mary’s ahead of this meeting. Prof. Wayne said St. Mary’s would be happy to accept that amendment.

Father Jenkins asked for a vote. The proposals were unanimously approved, with two abstentions.

5. Proposal for a PhD in Anthropology

Prof. Ramachandran Ramanan, presented on behalf of Laura Carlson, chair of the Advanced Studies committee, reported that the committee reviewed the proposal presented by Prof. Susan Blum and approved it unanimously. There were no substantive questions. He invited Prof. Blum to speak. She said the department of Anthropology has experienced ‘huge growth’ in the past fifteen years, and so the time is ripe to launch the PhD program.

Dean Kilpatrick asked about the demand for PhDs in Anthropology nationwide. Prof. Blum reported that there between 450 and 480 active jobs advertised yearly. In addition, it is known that about 50% of anthropology PhDs work outside of the academy. Approximately 450 PhDs are produced in Anthropology. The outside review panel said that there is a need for high quality PhD programs. The department knows from its own job searches that while there are plenty of applicants, not all are equally qualified. She noted that this factor prevented the department from moving forward on this proposal for a long time.

Father Jenkins asked for a vote to approve the PhDs program in Anthropology. The program was approved unanimously.

6. Proposal for PhD in Musical Arts:

Prof. Ramanan reported that the committee conducted a lively discussion while teaching themselves about this doctoral program. The committee approved the proposal unanimously and had no substantive questions. Prof. Margot Fassler and colleagues were in attendance to answer questions.

Prof. Fassler noted that she and her two colleagues are all newcomers at ND; they were brought in to found a 'world class program in Sacred Music' at ND. They have done a lot of work on this project, and they have won over two million dollars in grants to support the program. The Sacred Music program is a 'high priority' for the new capital campaign. The faculty is 'outstanding' with the important appointments which have been made in recent years. There is a demand for the product that is going to be put forward, and ND is 'uniquely positioned' to become quite quickly the leading program, or at least one of the very top two or three programs in the world in Sacred Music.

It was asked who would be teaching Composition and Musical Theory. Prof. Fassler said that the proposed department has a good relationship with the Department of Music; they all teach there. A new theorist has just been hired, which opens up room for Theory to be taught by this colleague. The department has asked for a visiting composer to be invited every other year for a semester; the department would like to commission new works. It is crucial to the program to have Composition and Arranging as part of the curriculum.

Father Jenkins asked for a vote; the program was approved unanimously. He offered his congratulations.

7. Proposal for a Master's in Management program:

Prof. Ramanan said that there were some questions raised about the proposed Master's in Management program; the proposal has been brought to the Council without a vote by the committee. The questions are as follows:

1. Has the name been finalized? There had been a few options proposed.
2. What would be the level of the courses, since most of the faculty who will be teaching have been recently teaching at the sophomore level.
3. What would be the status of the instructors, since most of the instructors are professionals.
4. What would be the relationship of this program to existing programs, which are a full-time two year program and a one-year program?
5. Would good students in Arts and Letters, Science, and Engineering choose what would appear to be a sub-optimal route of going for a one-year program which may preclude them seeking a more prestigious two-year MBA program down the road?

Prof. Ramanan welcomed those sponsoring this proposal Mary Goss and Ed Conlon, who were largely responsible for coordinating this proposal in conjunction with the curriculum committee of the College of Business.

Prof. Conlon addressed the questions raised by the Advanced Studies committee for the Council. What is being proposed is what is called 'a pre-experience program' in Business. The difference with the MBA program is in the use of the word 'experience.' ND's MBA program, like most MBA programs, requires three to five years of work experience for admission into the program. This program does not. It is designed for people directly out of their undergraduate degrees. It also differs from the MBA program in the sense that it does not allow for specialization. In the Notre Dame MBA program, students can specialize in Finance, Marketing and Business Analytics, among other topics. The proposed new program is a 'lock-step' basic core program in Business.

Several trends drive this decision. Similar programs have been introduced at other schools, and there will be more in the next several years. This program is part of a general trend in specialized masters degrees by Business programs. For example, Michigan State's Business School has about eight or nine specialized programs as well as an MBA program. They differ from the MBA program both in their specialty and their requirement of experience. One of the reasons why schools are taking this direction is that there seems to be a demand by industry for students with expertise and without the experience at the graduate level. Second, if the GMAT trends are analyzed, the group of people taking the GMATs is getting younger and younger. And students ask to have their scores sent to 10% fewer institutions with MBA programs; in the last five years, scores are being sent more frequently to specialized programs. Clearly there is a trend.

Schools are adjusting to this trend by introducing the one-year programs, and some have taken fairly drastic steps. Northwestern, which has a top five MBA program, recently announced that the MBA program is going to be cut in half, from about 500 students per year to 250 students per year. And Northwestern will introduce a number of specialty programs. Even the top ranked programs in the country are adjusting to the change in demographic demand for graduate education in Business. So these facts are driving ND to think about a specialized program. ND is well positioned to do this. ND has well ranked programs at both the undergraduate and graduate levels, and it believes that it can do ‘a really, really good job in this area.’ Prof. Conlon mentioned a number of questions which had been asked about the program in its first round of approvals. He was prepared to provide answers to the Council.

1. Are these courses that already exist, and would they be taken by other degree programs? Or, is the master’s using courses from other programs, such as MBA courses, etc. The answer is No; all of these courses are specifically new courses generated for this program that will taken only by the enrolled students.

2. How is this program really different from the Sophomore year courses? If this program is compared to what the undergraduate students take in the sophomore years, the courses look the same. They certainly have the same titles; if one digs down, the same topics are covered. However, the way the topics are covered, the level of sophistication, the discussions, the level of technical examples is much more at the graduate level. In fact, courses at all three levels—undergraduate, graduate, and PhD—cover similar sets of material, but the classes are wholly different. The experience, the learning yield, the depth of sophistication and understanding demanded are different. So the courses will be pitched at the graduate level, much closer to an MBA level of sophistication without assuming some of the business experience and at a much faster past and with more rigor than in the Sophomore year. The courses will be taught by the same faculty used in other professional programs in Mendoza. The College of Business does not make a distinction between undergraduate and graduate faculty; faculty in Mendoza can teach any course and they often do. Staffing of programs is largely up to department chairs. In the original proposal, the staff named there was a kind of frozen snapshot of what might be the staff. The lens through which this program will be staffed is the same lens used in all the other Business School programs.

3. The program is not redundant with other programs at ND, such as the MSA or the ESTEEM program. It will provide another graduate option for students.

4. At maturity, this program will enhance the research reputation of the College. It will generate some surplus revenue that will be used for the program and the improvement of the College and the university.

The discussion was opened for questions.

Prof. Robinson asked why the program is called a management degree when it is not one. Duke has a program called “The Foundations of Business;” that sound more intuitively appropriate. Prof. Conlon said that this question has been debated a lot. The program was originally called a Master’s of Science in Business, which was thought to be consistent with other schools and representative of the program in that it is a College program, not a departmental one. The College of Business Council, however, expressed doubts; it was thought that there would some brand confusion between the new program and the MBA program. The College Council urged the move to Management. The title was also discussed at both the Graduate Council and the Faculty Senate. Prof. Conlon mentioned that the question of title has been discussed with the Management department about whether under this title the program might be stepping on a future program it might want to offer. The Management department gave its okay to the name. Prof. Conlon said that this is a working title at the moment.

Erin Hoffmann Harding asked two questions about placement. First, would the students in this program be serviced out of the centralized career services office or from a division in the Business School? Prof. Conlon said that it would be through the Career Services office, and that discussions have been initiated there. Ms. Harding asked about the possibility of cannibalization by these students in reference to the undergraduate students and/or students from other Business School programs. Prof. Conlon said that there is concern about that question. Career Services’ position is that if the program generates good graduates, and as businesses learn that ND has that sort of product, recruiting will grow. The unique quality of this product is that this particular student will be someone who would be unique from an undergraduate in Business and from an MBA. S/He should be someone who has done a full blown undergraduate BA in some other major than Business, who also has been given a core of Business, and who has been asked to find the bridges between the two. In fact, students will be asked to explore the value proposition of, ‘how am I as a History major who now has this core, what do I bring to the table that’s different because of that mix.’ We think that is going to be very marketable, and that in fact, the program will draw more students to ND to recruit rather than cannibalize. He acknowledged that there might be some initial confusion as the students become used to the idea.

Max Brown, representing the Commission of Academic Affairs for Undergraduates, addressed three concerns. First, the question of non-specialization for students in the program: there is no room for other courses, exchange programs, or further research into topics pursued in the undergraduate degree. Students would be prohibited from building on the undergraduate degree during the year spent in the Business Management program. Second, the cost and length of time of the program: Students are concerned that this program will become a sort of ‘last resort’ program for those who either did not get jobs or did not get admitted to other graduate schools. This program offers an opportunity for a non-ND graduate to add an ND degree to his/her CV. These students might be perceived as ‘not as strong as the ND student.’ Further, even if the competition for resources in the Career Center isn’t a problem, the ND degree might be

tarnished. Third, even if the courses are more substantial, what is the impact of this program on the value of the undergraduate Business program? Many students are concerned that this program will devalue the undergraduate Business degree if it is perceived that the four years of a Business degree can be compressed into a May to May program. Another option that is available to students in an Arts and Letters major who are going into business and might look at a program like this is that they can gain a similar set of skills in two week courses at, for example, the Dartmouth program. What is the difference between the 2 week program and the whole year program, in terms of money and time? Fourth, because other institutions are developing these programs, it might not be necessary or positive at this time for ND to develop it.

Prof. Conlon addressed the issue of specialization. The specialization implied in this program is actually from the combination of the undergraduate major and what is offered in the one-year program. That's untried, new territory. He said that it is very important for this program to evolve into and explore and make a real part of its curriculum the synergy which arises for someone who takes a major other than business (with a deep focus on it) and then chooses this degree; there is a synergy between the two degrees. The outcome is a unique and desirable product that could be profitably explored. The combination of the undergraduate major and the core of the Business degree creates specialization.

Prof. Conlon addressed the second issue, international educational opportunities. He said it is difficult to add those opportunities to a one-year program. From experience with the MBA program, it can be said that no student has gotten or not gotten a job because of study abroad. Most students report that international study is a wonderful and broadening experience, and it may well be an important experience for them to have. If it was implied in the question that it hurts a student in the job market, Prof. Conlon expressed doubt about that possibility. He also noted that many undergraduate students have already had study abroad experiences.

Prof. Conlon addressed the issue of cost and length of time. He noted that the program is priced at market prices, as most programs are, and is a reflection of what people expect is the value added for a program. In terms of a contrast with a two week program, he asserted there is no comparison between what would be learned over the course of a year in a program like this and what would be learned in two weeks. The two are 'apples and oranges.'

Prof. Conlon addressed the issue of the potential devaluation of the undergraduate Business degree. He agreed that this needs to be handled very carefully, as he indicated in responding to Ms. Harding's concerns. The program cannot be 'a booby prize.' In an undergraduate focus group, students indicated that the program runs the risk of becoming an emergency fallback program for those students who did not land the post-graduation opportunities they were seeking. He said that if that were to happen, the program should be 'shut down.' This program is

designed to provide an option for students who would really like the experience and are really interested in majoring in something that is not Business at the undergraduate level, who, somewhere along the line, come to think that Business would be interesting. This program gives them an option to follow that desire. It is believed that the types of students who are going to be attracted to this program are students who were extremely academically successful at the undergraduate level, with high GPAs. In addition, it will be clear from the application, that this student has thought and planned about business. So, this will not be a booby prize degree; it is a degree that is goal-oriented.

Prof. Conlon noted that this becomes an Admissions problem. Will there be enough students interested in such a program? He stated that he believes there will be.

Prof. Huang suggested that neither the undergraduate nor the one-year masters program will dominate the other. In the case of the undergraduate program, there are four years at ND, two years of which are taken outside the Business School already. The Business School has structured it thus because undergraduate have at least 50% of credit hours outside the Business School. In addition, another year of Business School education is spent gaining the foundational pieces, which is similar to what this one-year program will be provided with. The remaining one year of the four year undergraduate program is the specialization that this program will not provide. In the future, if this program works out, the Business School will offer a Master in Finance, which many schools already have. That will provide specialization without the foundational pieces. The focus will be on the specialization courses. With the Management masters, there are advantages and disadvantages. Prof. Huang asserted that it is not likely the Management masters will cannibalize students, with the foundation of a good marketing job to advertise its value.

Prof. Nicholas Entrikin asked about the international student component of the new program. The proposal states that it is expected that 25% of the class will be drawn from international students. He asked where the figure came from: is it the goal, is it indicated from benchmarking, is it a target? In addition, will marketing of this program be targeted at particular world regions? Prof. Conlon stated that it is very good for the learning experience to have international students in the classroom. There are challenges, however. This program was modeled, in part, on the program at Duke. It is 20% international students, many of whom are Chinese. Duke is focusing on developing a rounded business skill set for the international students. ND is not intending to be focused that specifically; the international students will bring a desirable diversity to the classroom. There is a lot of room for exploration in this area. He clarified that the goal is to reach 25% international students in the class. In response to a question, he added that if ND were able to effectively place international students, he would not 'feel there is a huge constraint on the number.' He noted that in the MBA program, the

percentage of international students has been moved from 20 to 22 % up to 30%, for strategic reasons.

Dean John McGreevy noted, for the record, that he is ‘a huge enthusiast for this program.’ He thanked his colleagues in the MCOB for bringing this exciting program forward. He added to Ms. Harding’s point that it presents an interesting placement puzzle. Five years from now, when this program is successfully launched, there will be a large group of students with undergraduate degrees in Business, a large group of students with undergraduate degrees in Arts and Letters who go into business (about 60%), some students from Science and Engineering with degrees in those areas who go into business directly, and a group of students with undergraduate degrees and a master’s in Management. So it will just require more thought and sophistication from the Career Center, which is very good, to market and place all of those different kinds of students, in the way that we do now, and in the way that we want to do in the future. It is simply a recognition that any new program brings new sets of puzzles; the investment in the program is well worth these challenges.

Prof. Conlon spoke about the revenues that may be produced. He said that one use would be to help fund the Career Center. Ms. Harding responded that the Career Center will have great enthusiasm for providing help and service to this set of students. She noted, however, that the ability of the Center to staff the program at this point would be a great challenge and sacrifice to the services offered to undergraduate and graduate students. Prof. Conlon asserted that this topic has been much discussed in the process of developing the proposal.

Prof. Maziar noted that recruitment traffic on campus could be positively impacted by the presence of strong graduates from this program; she said some recruiters will not come to campus for a number of students below a minimum. Thus, there could be a benefit to students in other programs.

Prof. Flint asked what percentage of the students will be ND students. In addition, he wondered if this program would increase the difficulties for graduates from A & L to find jobs in the business world, if they are competing with these potentially more attractive graduates. Prof. Conlon said that at Duke, 46% of students came from Duke. In addition, the program specifically focused on recruiting students from about ten institutions; ND would be inclined to do the same thing around the Midwest. He suggested that a program which served ‘at least 60% non-ND graduates’ would be desirable. He noted that there is a unique opportunity, and the program should attract ‘really good candidates.’

Dean McGreevy added that the program does not want to focus too much on the competition that might arise to A & L graduates from graduates in this masters program. He noted that an A & L class has 900 students; the proportions are really quite different.

Mr. Brown, noting that he had been a member of the student focus group mentioned by Prof. Conlon explained that the student concern about specialization was aimed particularly at the fact that they would not be able to continue a course of study that they had started in their undergraduate studies. They felt this undergraduate study would be important to them, and they would be disappointed to be prevented from being able to continue it during this year long course of study. In addition, the students thought that it was unrealistic to think that a really strong student in A & L would be willing to completely drop his/her subject and have no further exploration of that right before getting a job. Second, students coming from ND or the equivalent were very suspect that either they or their parents would be able to afford yet another year of tuition before work, especially as this program is targeted to students directly after they graduate. Third, the students in the group thought that it was highly unlikely that a successful ND student such as those described would be interested in doing a program like this but not going into the business world right away and getting an MBA later. It was perceived by students that that number would be 'extraordinarily small if not nonexistent' of students who are both successful in their academic studies at the undergraduate level and do not have plans either in a different graduate program or to go into the work place, especially as this would compromise the attainment of an MBA.

Prof. Conlon said, of the last point, that that has not been the experience of the programs that already exist. He noted that in the MBA program, students would also not be able to pursue special subjects the study of which had begun at the undergraduate level, since the MBA is an immersion degree. It is not a choice that graduate Business programs usually allow, unless it is an unusual situation, and generally would take more time than is available in a one-year program. In terms of the issue of cost, he noted that one could ask if there is sufficient value in the degree to offset its costs. While it can be said that the MBA program is expensive, the value of it makes it very attractive. He conjectured that this program would do the same thing. It is likely that it would because it provides students with a somewhat different platform and, importantly, it allows students to explore fully something that they are interested in. He stated that if the point of doing this degree is to get a job, then it is probably not the right choice. He said that the point ought to be to create a platform for oneself based on the undergraduate experience and the business education so as to be positioned in a new and useful way. That positioning is likely to have both an economic and a 'very strong psychological value.'

Dean Newton said that the Law School is also 'wildly enthusiastic.' She anticipates the opportunity to begin talks about a joint degree with Law so that a student can get a dual degree in three years.

Prof. Tenbrunsel agreed that the question of cannibalization of students and the ability to recruit are issues about which time will reveal an answer. However, she noted that this kind of program

is destined to be developed because peer institutions are doing so. ND already has some challenges to attract some recruiters; when peer institutions add these kinds of programs, it will further impact recruiter decisions. She noted that currently ND is well positioned, with its number one ranking over the past three years. She suggested that this program may draw a new, talented pool of students to ND.

In addition, Prof. Tenbrunsel recommended reconsidering the name.

Father Jenkins asked for a vote to approve the Master's of Management. There was one opposed vote and two abstentions. The program passed. Father Jenkins thanked all for their work on this proposal.

8. Academic Code of the Graduate Business Program

Prof. Ramanan reported that there are four different graduate programs in the COB which has led to the need for an Academic Code. The Advanced Studies committee unanimously approved this proposed code. Mary Goss was invited to present the proposed code.

Prof. Goss said the code was based on the Graduate School Academic Code. The proposal has input and approval from all graduate programs. All the programs have different admissions processes, different registration processes and different graduations; each is fully spelled out in the proposal. She noted that the Registrar had provided feedback today which will result in a few 'minor' changes to the document before the Council now.

As there were no questions, a vote was taken, and the proposal was unanimously approved.

9. Committee reports on 2012-2013 committee agenda

a. Advanced Studies Committee: throughout the fall semester, the committee vetted a number of new programs, which were just approved here, and it approved the Academic Code for Graduate Business. It heard from Mimi Beck, who is working on Student Affairs Initiatives, such as housing for graduate students, the graduate student survey (scheduled to go out in Spring 2013), and initiatives to build community, with an focus on making campus resources more available as well as better tailored to graduate students. In spring, 2013, the committee will discuss whether to work on a policy to cover agreements with other institutions overseas, or whether these agreements are too idiosyncratic for a template to be of use. It will also look at a report on professional masters programs, with a particular look at what impact this growth is having on university services. The committee is open for agenda items, as well.

b. Undergraduate Studies Committee: The committee considered proposals for new degree programs, two of which were approved today. It considered a proposal put forward by the First Year of Studies to enhance writing in the curriculum. It anticipates vetting proposed

additional changes to the undergraduate Academic Code. If time, it will take on the 'vexed issue' of the granting of dual degrees.

c. Faculty Affairs committee: The committee has worked on the Conflict of Commitment Policy, which was approved today. It is also concerned about faculty hiring for gender and ethnic diversity. This concern came up organically within the committee; the issue is being explored; the committee has heard data from the Provost's Office, and will hear from representatives of various standing university committees and offices.

Father Jenkins thanked the committees for their hard work.

As there was no new business, the meeting was adjourned.