

August Retreat

21 August 2008

Faculty Council Annual Retreat

1st floor, Piper Hall, LSC

Members present: Heather Cannon, Walter Jay, Hugh Miller, Nick Lash, Mari Jo Letizia, Linda Heath, Mark Bosco, Peter Schraeder, Rich Bowen, Dom Castignetti, Allen Shoenberger, Paul Schreckenberger, Gordon Ramsey, Janis Fine, Hank Rose, Marc Hayford, Gerry McDonald, David Posner, Harvey Boller, Bill Schmidt, Phong Le, Tony Castro

1. Meeting called to order at 10:20 a. m. Introductions of new and continuing members followed.

2. Explanation of (and recruiting for) FC committees:

Nick Lash explained the Deans' evaluations committee. Last year evaluated 5 deans. Productive relationship with Provost Wiseman.

Allen Shoenberger discussed the Faculty Status committee, which deals with (among other things) compensation. Summarized last year's activity, pointing out that LU remains short of its own targets re: trying to get us up to speed with other CUPA schools. LU faculty remain seriously undercompensated. LU's target is 60%, but we are barely at 50% as of last spring. Also, faculty handbook: there exists yet another iteration, not yet seen by FC (FAUPC got a week ago).

Rich Bowen: Awards committee (faculty person of year). This year: Jonathan Wilson, who will be honored at the Fall Convocation (so people are actually there and know about it). Nominations start in spring; RB seeking a new committee chair. Membership mostly non-FC members; need (some) new people. Committee works with President's office to set up award ceremony; then issues a call for nominations (1-6) in the spring. Process has been simplified. Committee meets to go over nominations, talk to nominees. Not onerous. (Candidates can turn over from one year to next.) Stipend has increased to \$2k from \$1k.

David Posner: Elections committee, which conducts FC elections yearly. Hugh Miller volunteered to join the committee.

3. Chair's report:

A. Gerry McDonald spoke about the Provost's plan for the resurrection of BUGS

(Board of Undergraduate Studies). David Schweickart and GM met over the summer to figure out how to implement same. GM seeking volunteers for BUGS, whose role will be advising the Provost on undergraduate matters. Starting this fall, BUGS membership will be elected, but the Provost wants to start by appointing people (8, distributed over LU). The Provost wants FC to conduct those elections. GM and DS recommend that the BUGS election should be in the fall, so that people can decide whether to be on BUGS or FC (doing both would be too much). 3/3/2 divisions, in rotation, as with FC elections. Hank Rose asked: should this go through Shared Governance? GM replied that the Provost sees BUGS as completely advisory to her; it doesn't actually approve policy, but recommends that things should be sent to FC, UPCs, etc. Rich Bowen asked when and why BUGS was eliminated in the first place; the reply was that it was abolished by Provost Facione some years ago. Walter Jay agreed with HR. GM agreed to raise the issue with the Provost soon. Discussion ensued; concerns were expressed regarding Shared Governance issues. Janis Fine pointed out that the language of the BUGS proposal stated that recommendations would go to UPCs, consistent with SG requirements. Hugh Miller pointed out that BUGS could and should address issues extending over more than one unit of LU, which might otherwise remain unaddressed.

B. GM continued with an update on FC activities over the summer. Some members of the Executive Committee of FC (GM, Linda Heath, DP) met on 6 June with the Academic Committee of LU's Board of Trustees. LH explained that we were attempting to make them aware of current and future issues of concern to FC. The Provost wants more of this kind of communication. Several FC members remarked that opacity and non-communication have been the norm in this area. FC does not know who is actually on this BoT committee. WJ said that FC contact with BoT is essential, because it helps to break down the us vs. them dynamic, and pointed out that many BoT members are patients of his colleagues at LUMC. Suggestions were made for further interaction, formal and otherwise, with BoT members, including lectures, receptions, etc.

C. GM raised the issue of the recent salary cuts at SSOM. Discussion deferred to later in the meeting.

D. The Information Security proposal, having to do with "data stewards" in each department or unit. PLSC and PHIL are already doing some of this? Was announced in July, but not approved by FAUPC; in fact unanimously voted down. Sent back to Susan Malisch, LU Chief Information Officer; GM sent response to her, with ccs to others. GM suggested that the subsequent confusion might merely be the result of a misunderstanding. Heather Cannon made FC aware of the implementation of the policy despite FAUPC's disapproval. The new policy supposedly does not apply to LUMC, but is apparently being implemented there anyway. Several people pointed out that administrative expediency is no excuse for ignoring the Shared Governance charter. HM remarked that the point of UPCs is in any case to expedite things. AS pointed out that LU has no policy re: data confidentiality on faculty computers; we should have one. Right now we have no protection either against LU snooping or against prosecution.

GM said that each department is supposed to have an Information Steward, inspecting

every computer and portable medium in a given department. LU policy is to re-image everything every year, so we should have no expectations of privacy. Theoretically, a steward wouldn't actually be able to read ones' files, but software would detect suspicious number strings (SSNs, credit card numbers). Peter Schraeder said that the Chair of PLSC has started doing this; the software apparently stops each time it hits a number. LH said her department runs the software overnight, then one goes through the list in the morning. Supposedly one can encrypt numbers one wants to keep. WJ wondered why faculty, rather than IT professionals, should be responsible for this. GM pointed out that process is the issue, as SG and recommendations of FAUCP were entirely ignored. UCC and FAUCP will have to pursue in Sept. Several members pointed out that the capabilities of the software in question are not clear; i. e. we don't know exactly what it can (and does) look for. Further discussion ensued; then NL proposed adjournment for lunch. Proposal passed unanimously.

12:00: lunch

Meeting resumed 1:15; Chair's Report, continued:

GM continued Chair's report with a discussion of the newly instituted Behavioral Concerns Team thing. FAUPC expressed several concerns about the BCT. Has the BCT been fully implemented? At least the online training is in place; next steps are not clear. GM says the next steps are to bring it up at the UCC, and for FC to request that the proposal should be sent back to FAUPC after their concerns have been addressed. GM remarked that it is important that FC not be seen as playing games with university politics on a serious and sensitive issue like this. LH raised questions about information-sharing and anonymity. Apparently anonymity was not initially part of the plan, but now it is. RB pointed out that the burden of initial diagnosis seems to be falling on faculty. WJ remarked that at least part of the purpose of this is to provide legal protection for the university. LH said that previously, one could refer students to counseling ctr., but couldn't find out about followup. Now we can also refer them to the BCT, and can get some feedback...? DP wondered how faculty were supposed to choose between the Counseling Center and BCT. LH said that most students should be referred to the former, with only those who might be a threat to themselves or others referred to the latter. WJ pointed out that putting this in place quickly would be a good thing. PS remarked that they had a chance to revise quickly and answer FAUPC's concerns, but didn't do it. GM said that we should make it clear to all that things can be fast-tracked if necessary; just say so. WJ suggested that this be brought up at the UCC meeting.

Discussion continued of the general issue of an apparent disregard in some quarters for Shared Governance. WJ pointed out that both we and the administration have legitimate concerns on this. UCC should develop policy re: this; for example, if something needs to go fast, Fr. Garanzini, the Provost, etc. should tell UCC quickly. GM said that this is a systematic issue; how should we respond? UCC can take care of (some of the) problem. AS suggested that UCC should develop a form (like a cover sheet) for

UPCs to use (to make clear what people receiving output should do and expect). HR said that FC needs to be more vigilant and aggressive re: SG.

2:22: Report from FAUPC (Peter Schraeder): Faculty Handbook. FAUPC had the handbook ready to go last October, and was just waiting to hear from admin. The Provost, Dr. Whelton, and University Counsel all weighed in, as well as the President's office. FAUPC finally got it back last week. GM remarked that ideally, per SG, there should be (or have been) back & forth between Fr. G. and FAUPC, to refine FH. According to SG charter, FH cannot be implemented until FAUPC approves of final version. Walter: impression was that Chris thought that Fr. G. agreed with what we wanted. PS asked if a redline version was available; PS said not yet. PS added that there will be a meeting on 5 September to move this forward; hopefully we will have a redline version by that meeting. HR said that last summer, 3 FC members (HR, Paul Jay, Michael Zinaman), w/3 administrators, negotiated over the FH, and subsequently posted a version for faculty comment; then the administration came up with its own version, which faculty has not seen. Do we have to solicit faculty comment all over again? and should FAUPC then reconcile all this? PS said that nobody has seen the new and/or redline version yet. HS said that we should not use the administration version as near-final draft; consider faculty and Paul Jay's version (the one everyone commented on) as near-final draft. RB asked what the administration objects to. PS said we don't know. We were told that changes would be minor, but we have no idea what they did. They moved lots of things around. Paul Jay's version still online. LH pointed out that it would be easy enough to create a redline version, given that previous version and new version both exist; some member of Chris's staff should do this.

HM remarked that this is a political issue. Do we take the administration version as suggestions? It is the faculty's contract, after all. Otherwise, are we just handing them the right to rewrite as they see fit. LH said we should work from their version, because of legal issues. PS said it doesn't really matter, just so we can see what's going on. WJ said that Fr. Garanzini needs to meet with the EC. We should talk directly to him in general.

PS: Fr. G. says we will use the old version of the FH as long as necessary, and does not think we need to rush the new version.

2:50: SSOM compensation issues (John McNulty, Tony Castro, EJ Neafsey). TC: in spring 08, (several senior) basic science people had their salaries frozen or cut by 5-10% cut, w/o explanation or criteria. Some (not all) filed grievance; they had cuts etc. reversed, again w/o explanation. Most had good/excellent performance reviews. Only apparent criterion was presence/absence of *current* NIH grant. Vague claims were made of "financial difficulties". JM: some forewarning: chairs met w/faculty involved 2 days before, but still shocking/surprising. WJ pointed out that the health center is \$1B operation; the only people who got cuts are SSOM basic science faculty. JM said that 1/3 of basic science faculty involved, which is more than previously thought. Information has not been easily obtained; criteria never articulated or explained. No due process; how do we prevent this from happening again? A new compensation plan is being talked

about in dean's office; faculty are supposedly involved, but how? There are two compensation committees, one for clinical, one for basic science. SSOM faculty senate sent list of people to be on these committee(s). No transparency up to this point. Phong Le said there were supposed to be monthly meetings w/dean to talk about this. The Faculty Senate gave a list of 8 people; the dean says 3 have been chosen; no further information is available. JM described the April emergency meeting of the Faculty Senate; the dean said "no", four times to the question of whether faculty would be on the compensation committee.

7 yrs ago, the faculty negotiated the BSI compensation program (base, supplment, incentive (= outside funding)); so if one loses one's grant, it's a bad thing; but if one is successful in getting outside funding, it's good. JM said then it was a conversation and compromise. Those hired before could choose to be "grandfathered" (remain under the old compensation plan), while those hired after had to participate in this plan. Under the new plan (now) there is no grandfathering possible, including for senior faculty. BSI people grandfathered into (out of) new plan, though. So only old "grandfathered" people are being forced into new plan. TC pointed out that since the administration reversed the cuts for those who appealed, they changed their minds; so new unstated criteria should be applied to those who didn't appeal. Otherwise it becomes completely arbitrary...they can do whatever they want. JM: some appealed and got only partially compensated/reversed; they pursued the grievance to Fr. Garanzini; Fr. Garanzini kicked it back to Whelton; Whelton finally reversed all.

JM pointed out that the real issue is the total lack of due process. Alanah Fitch remarked that the SSOM administration won't apply reversal criteria to those who didn't appeal. E. J. Neafsey said that they wanted to avoid having it come to LSC/WTC to an appeals committee. RB asked if there were any precedent for this kind of thing. EJM said yes, at Georgetown about 10 years ago; the university got sued and quickly settled out of court. LU faculty are in fact doing a good job at getting NIH funding. PS asked why all faculty involved didn't appeal. TC said it was time-consuming and hard; also, many faculty thought it wasn't worth it, because they didn't trust the administration; there was also fear of retaliation. AS pointed out that there were age-discrimination lawsuits possible, but there's a time limit, past which you can't file suit. TC said that not only are LU faculty successful at getting NIH funding, but that these faculty teach 2-3x more than at other schools. PS pointed out that LUMC is never in the red; in fact, last year they were \$32m in the black. Further discussion ensued.

TC asked what we will do next. At the 11 June Executive Committee meeting, EC passed a motion objecting to what has been happening, and sent same, together with the information that EJM had put together, to Father Garanzini and to Whelton. GM read the motion to FC. AS said we should plan a resolution for the next meeting, asking for a salary analysis like that produced for LSC and WTC, and asking how it affects productivity etc. EJM said that FC should assert (motion) that the principles of SG should apply at SSOM as well, and that any changes should be approved by FAUPC. RB asked about the accreditation of SSOM. WJ said that the EC should meet with the accreditation people. JM said that the accreditation people (LCME) are going to hear

about this, and won't like it.

GM said that we need to know from the people at SSOM what FC can do, now, to prevent this from happening again, and suggested that we invite Drs. Whelton and Lee to FC. All agreed.

Meeting adjourned at 4:00. The next meeting will be Wednesday 10 September at 3:00 p. m. on the 13th floor of LT, WTC.

Respectfully submitted,

David Posner