Academic Council Minutes of 7 November 2005 (3:32-5:07 p.m. in CNS 209)
[Approved by the Academic Council on December 5, 2005.]

Faculty Attending (16): Abbott, DeWitt (Executive Secretary), Dohm (Chair), Gibson, Greenberg, Haug, He, Keenan, Lakeland, Lang, Lange, Ligas, Mulvey (Secretary of the General Faculty), O’Neill, Rakowitz, Sapp
(Recording Secretary), Steffen

Administrators Attending (4): AVP Grossman, Deans Novotny, Snyder, Solomon


Regrets: (1): Yarrington

Guests (1): Dennin

The meeting was called to order at 3:32 p.m.

1. Presidential Courtesy: The AVP had nothing to report.

2. Report from the Secretary of the General Faculty: Mulvey reported that, as mandated by the Academic Council in May 2005 with regard to the Petition for Immediate Hearing brought to the Council by the AVP, a list of items in the Journal of Record that may not have been submitted to the administration for approval or rejection has been sent to AVP Grossman and it is expected that he will respond to the Executive Committee within the 15 day time limit specified in the Journal of Record

3. Report from the Executive Secretary: DeWitt requested an approval of minutes.

Approval of Minutes of Meeting of 3 October 2005. Motion: O’Neill; Seconded: Ligas. Minor Correction: Professor Lakeland pointed out that Professor van Hise’s name was misspelled on page 1, section 3d, line 2. Vote: 14-0-0. Passed

4. Council Committee Reports:

   a) Ad Hoc Subcommittee on Academic Freedom and Free Expression.

Lakeland provided an overview of the report sent simultaneously to the AC and President von Arx regarding issues of academic freedom and free expression. The report contains modified language drafted to provide guarantees of academic freedom for all sectors of the University and to ensure consistency between the Faculty Handbook and the Student Handbook. While academic freedom has not been a concern among most faculty, Lakeland suggested that steps should be taken to ensure the protection of students. Lakeland reviewed several inconsistencies in the two documents and explained the process in which the corrections were proposed. Discussion followed.

Referring to the student event that prompted this report, Steffen asked how circumstances surrounding the event might have turned out differently given the proposed changes. Lakeland replied that student affairs policies are often written quickly to address specific problems; whereas, faculty tend to contemplate its policies for years. He stressed the need to shift the burden of proof away from students and place it on the student-affairs administration that may oppose student actions or events. To Steffen’s question, Grossman added that “we learned from the experience” and agreed that students need broadly-defined free expression. He also said that it was necessary to understand connections and differences between academic freedom and free expression.

Steffen expressed concern that, according to current policies, students are required to supply club membership lists and said that this existing policy was “chilling.” He explained that such a policy would not matter to 90% of the student clubs, but for the remaining 10%, it could impact free expression. Lakeland said that Steffen’s concern was shared but that funding issues necessitated the policy. While the policy may need review, funding is assigned to
clubs based on student membership. Snyder confirmed the process, pointing out the importance of being able to confirm “real” membership numbers so that monies can be distributed fairly.

**Motion by DeWitt:** “The Council directs the Executive Committee to work with the Chair of the Subcommittee on Academic Freedom and Free Expression to draft appropriate motions to facilitate implementation of the Subcommittee’s recommendations.” Seconded by Rakowitz. Vote: 15-0-0. Passed.

5. Petitions for Immediate Hearing: none

6. Old Business: none

7. New Business: The Chair and Executive Secretary suggested that the sequence of agenda items be slightly reordered to accommodate Dennin’s schedule. There were no objections. The sequence of items that follows is presented chronologically; however, the letters that precede each item (i.e., a, b, c) indicate the sequence as listed on the agenda.

   b) Proposal for Restructuring the Committee on Conference with the Board of Trustees.

Lakeland summarized the proposal and asked the AC to give permission to the Conference Committee so that it can begin discussions with the Board of Trustees about restructuring the Conference Committee. Lakeland expressed his wishes to improve faculty-trustee interactions and explained that the Conference Committee wants guidance from the AC regarding this matter.

Lakeland summarized the one-year history of the proposal, beginning with President von Arx’s expressed interest in broader faculty representation on five subcommittees involving the Board of Trustees (e.g., student affairs, technology). Currently, there is faculty representation on only one of the five subcommittees. Thus, the Conference Committee seeks feedback from the AC on the proposal to add faculty to the Conference Committee. This proposal is in response to increased access in the past year on the part of the faculty to members of the Board of Trustees. With the permission of the AC, Lakeland will ask for this topic to be placed on the agenda for an upcoming meeting of the Academic Affairs Committee of the Board of Trustees. Discussion followed.

Lang pointed out that a new structure would help faculty have a voice on important issues and gain access to settings “where serious decisions are made.” Lakeland added that it would also provide the AC with more advanced notice when decisions were made by the Board of Trustees. Snyder pointed out that this change would also allow the Board of Trustees to get a better idea of issues important to faculty, but that having a single faculty member on each subcommittee may provide the trustees with a limited perspective on faculty interests. That is, the University is a complex organization with many perspectives; having just one faculty on each subcommittee would be limiting in terms of representation and expertise. He suggested that faculty representatives for each subcommittee be sent, not from the Conference Committee itself, but from a Faculty Handbook committee most closely related to the subcommittee (e.g., technology).

Lang pointed out that the proposal does not go into that level of detail, but that Snyder’s suggestions are worth considering in the future. Lakeland reiterated the advantages of the trustees having increased access to faculty. He expressed his belief that this is a move in the right direction. Grossman added that it is not only good for the trustees to have increased access to faculty but for faculty to have increased opportunities to understand the decisions of the trustees. Grossman thinks that it would be helpful for faculty to witness the trustee’s decision-making process and share with the General Faculty issues that seem most important to the Board of Trustees.

**Motion by DeWitt:** “The Council authorizes the Conference Committee to explore informally, with the Board of Trustees, the possibility of restructuring the Conference Committee.” Seconded by Keenan. Vote: 15-0-0. Passed.

   a) Handbook Change from Rank and Tenure Committee (reordered).
Dennin provided an overview of the Rank and Tenure Committee’s recommended changes to *Faculty Handbook* language. He explained that the language seems inconsistent and illogical. Discussion followed.

DeWitt agreed with the motivation for the proposed change but had concerns about how the new language would affect our traditional policy of allowing faculty to apply for tenure in their fifth or sixth years. DeWitt explained his position, that criterion 1 for tenure (page 24 of the *Faculty Handbook*) requires that a candidate satisfy the criteria for academic rank, hence changing the criteria for rank changes the criteria for tenure. Dennin repeated that members of the Rank and Tenure Committee want candidates to apply for promotion and tenure in the same year, something the current language complicates.

Lakeland voiced his support for the change, saying that DeWitt’s concern seemed to be about whether or not an applicant can count the current year in which the application is submitted towards the minimum years necessary for eligibility. Lakeland said that the current year has always counted towards eligibility. DeWitt suggested that the change be delayed until the General Faculty decides whether or not to pursue a sixth-year “up or out” review. Rakowitz answered that the change is limited to the issue of promotion and does not influence tenure; she concluded that waiting was not necessary. Mulvey asked whether or not the AC should send the proposal back to the Rank and Tenure Committee for clarification.

Lang asked that the possibility of a sixth-year review not be considered in the process of determining if this change to the *Faculty Handbook* should be made. He expressed his belief that “we are not ready” to discuss major changes to the rank and tenure process. Lang made a motion (see below). Discussion of the motion followed.

Grossman stated that the current language is “awkward” and “inappropriate.” He expressed his displeasure at the possibility of a candidate applying for tenure and promotion under different standards of criteria (i.e., for promotion under normal criteria in the fourth year, and under extraordinary criteria for tenure in the same year). DeWitt insisted that the language, as it currently exists, is being misinterpreted. Lakeland said that he was in favor of the motion because “it can’t make things worse.” Steffen spoke against the motion, asking for the proposed change to be sent back to the Rank and Tenure Committee for clarification.

**Motion by Keenan: “Call to Question.” Seconded by Rakowitz. Vote: 12-1-0. Passed.**

**Motion by Lang: “The Council accepts the change to the *Faculty Handbook* as recommended by the Rank and Tenure Committee and forwards the changes to the General Faculty for its consideration.” Seconded by Rakowitz. Vote: 10-2-2. Passed.**

c) Proposal for a Masters of Science in Nursing: Nurse Anesthesia.

Lange provided an overview of the proposal and summarized its history. She explained that the partnering organization was seeking alliances, and when the opportunity was presented to the University, the SON was deeply honored. Lange explained that the degree program would begin in January 2007 and that each cohort of 12 students would complete 50 credits for the degree in about 2.5 years, including summers. Discussion followed.

Lang expressed frustration about the proposal itself, pointing out that the lack of page numbers and table of contents made the document difficult to navigate. He also noted that the title used to describe the program’s director was inconsistent, sometimes referred to as a “coordinator” and sometimes as a “director,” making it unclear whether one or two administrators would run the program. Lang also expressed concern that academic rank would be assigned to the administrator. He explained that the Rank and Tenure Committee must give its recommendation for academic rank to the President for the program director, even if this position is not tenure-track.

Novotny insisted that the director’s position was unpaid and that the title is being assigned as a courtesy so that the University can assign office space, ensure the director’s access to curriculum meetings, and so that a requirement can be met for the accrediting agency. Lang pointed out that it is violation of the *Faculty Handbook*. He asked how courses were approved for the program, another topic that seemed to be missing in the proposal. Lange said that the
SON has its own curriculum committee, and that courses for the program are subject to approval from both the SON Curriculum Committee and the curriculum committee at the off-campus site. She added that there is cross-membership on these committees.

Novotny said that courses have already been approved and that accreditation dictates exactly which courses must be offered because graduates from the program will be putting hospital patients asleep. She repeated that it is an honor for the University to have been asked to join this partnership. She assured attendees that the curriculum was rigorous and that the application process would be highly competitive. She also asserted that this partnership will help enrollments in the Chemistry and Physics departments in the CAS. She also informed the AC that the program would be reviewed in three years, at which point decisions could be made regarding its future.

Referring back to a previous concern, Grossman said that the director would be “like an adjunct,” not an administrator with faculty rank. It is merely a courtesy title. Lange added that if the director was not considered faculty, there was a risk of communication breakdown. Lakeland asserted that the director should be called adjunct assistant professor.

Mulvey said that courses should have been approved by the SON Curriculum Committee, then the faculty of the SON. She continued to wonder if the courses had undergone appropriate review as outlined in the routing procedure in the Journal of Record. Rakowitz pointed out that, if so, a set of minutes seemed to be missing from the proposal. Mulvey added that minutes that were included from the EPC, which were included, were weak and lacked detail regarding their discussion. Several agreed, saying that they could not tell whether or not the review of courses was discussed adequately to justify the Committee’s recommendation.

Rakowitz and Lang continued to communicate concern about the course approval process, pointing out that the proposal lacked details. It was unclear to Lang which courses would be offered at the University and which ones would be offered off-campus. He pointed out that even if courses are offered off-campus, students would be earning University credit for them, so that made them our courses, subject to approval like any other course on campus.

Rakowitz asked about projected enrollments. Novotny explained that the first cohort would include 12 students. The students will earn 30 credits at the off-campus site and 20 credits on campus, totaling 50 credits for the degree program. On campus, the students would enroll in established graduate courses. Nurse Anesthesia would be considered a new track under the existing umbrella of the Masters of Science in Nursing. Grossman clarified that what the AC is being asked to approve is a partnership with an established organization. “The partnership is the heart of the proposal,” said Grossman, who believes it will positively affect the University’s reputation.

Keenan raised the possibility of going into recess and asked Novotny if waiting until December to make this decision would be satisfactory. Greenberg asked Novotny the latest date at which the University can inform the organization that the proposal has been approved. Novotny replied that the admission process will begin soon and that applications will begin to arrive in January 2006 so that the program can begin in January 2007. She then expressed concern that the University might lose this opportunity to another university. She also mentioned that she “might need to go to the State for approval,” and needed enough time to do so. Keenan made a motion (see below). Discussion of the motion followed.

Lang expressed his displeasure of the limited amount of time the AC was given to review documents related to this proposal, noting, for example, that the SON minutes included with the proposal are dated 4 February 2005. He repeated several of his concerns and stated that he felt “pressured” to make a decision, concluding with “I don’t think this is right.” Novotny repeated the upcoming deadlines that she faces regarding this proposal.

Motion by Keenan: “The Council will recess until the Monday before Thanksgiving, at which point discussion will continue on the Proposal for a Masters of Science in Nursing: Nurse Anesthesia.” Seconded by O’Neill. Vote: 4-8-1. Failed.

8. Motion to Adjourn, 5:07 p.m. Motion: Rakowitz; Seconded: Ligas. Passed.
Immediately after the meeting was adjourned, the Executive Secretary and Chair asked that members of the AC send comments to the Executive Committee regarding the proposed Masters of Science in Nursing: Nurse Anesthesia. Any comments received will be forwarded to Professor Lange to assist her in preparing for continued discussion of this topic at the next meeting of the AC in December 2005. The “Proposal for a Masters of Science in Nursing: Nurse Anesthesia” will be listed as Old Business on the next agenda.

Respectfully submitted,

David Alan Sapp

[Approved by the Academic Council on December 5, 2005.]