

# Memo

**To:** Academic Council members

**From:** Rona Preli (AC Chair), Rick DeWitt (AC Executive Secretary)

**Date:** 10/26/09

**Re:** Observations on email from Prof. Rakowitz of 10/19/09

-----

Prof. Rakowitz sent an email on 10/19/09 concerning the conduct of Academic Council business to the AC Chair, the AC Executive Secretary, the Secretary of the General Faculty, all members of the Public Lectures and Events Committee, and all members of the AC Subcommittee on Governance and asked that her email be included as correspondence for the Council. This email as well as the emails that led to Prof. Rakowitz's email are included in the packet for the 11/2/09 AC meeting. This memo is our response to the specific issues raised in the 10/19/09 email from Prof. Rakowitz, which we address item by item below. In addition, we thought that this exchange provided an opportunity to address the conduct of AC business in the abstract, and so we added this as an agenda item for the 11/2/09 meeting. We hope this item on the agenda will be especially helpful to the members that are new to the AC this year, and we will probably recommend that this be an ongoing agenda item at the first AC meeting of each academic year.

This memo, as noted above, is a response only to Prof. Rakowitz's memo of 10/19/09 and the specific issues raised therein.

## **Communication with the PL&E Chair.**

Concerning communication with the Chair of the PL&E committee, Prof. Rakowitz writes:

Apparently you asked the PLE chair how she came to be communicating with the ACEC regarding the PLE committee's attitude on making the VP of Marketing an ex officio member of the committee. I don't know why you asked this since I already explained at the 10/13 AC meeting what happened.

The question to the PL&E chair came before the 10/13/09 AC meeting, not after. Here is the relevant section of an email from the AC Executive Secretary to the Chair of the PL&E committee, on 10/12/09, the day before the 10/13/09 AC meeting. The complete correspondence is included in the AC packet for the 11/2/09 AC meeting.

We are curious as to how this got on the agenda for the PL&E committee. Who suggested it? What kind of documentation did the committee consider? Was this done at a regular meeting, or by email? It's especially curious because the Academic Council considered a proposal similar to this last week which we would have been sending to you, with all appropriate documentation and a specific charge, but we don't even have the minutes from the AC meeting yet.

Our later email of 10/14/09 to the PL&E Chair was a request for clarification of the question above, and the usual supporting materials (what specifically the PL&E committee had been asked to address, documents considered, minutes, etc.). Here is the relevant section of that email. The complete correspondence is included in the 11/2/09 AC packet.

Can you send us the communication that brought this matter to your attention including the communications that you had with the committee on this topic, any documents you considered, minutes of meetings at which this was discussed (or records of email discussions since this was done by email). Our concern is with clarifying and understanding the processes that have occurred.

**The suggestion of wrongdoing.**

Prof. Rakowitz writes that “To suggest that [the PL&E Chair] or I did anything inappropriate in that exchange is simply wrong.” We do not believe the PL&E Chair did anything inappropriate. But as outlined in our memo to AC members on conducting Council business, we do think our governance documents make clear that once the Council has passed a motion or otherwise taken action on an item, communication with Handbook committees concerning Council decisions is to be handled by the AC Executive Secretary, not by Council members.

**The implication of neglect on the part of the AC Subcommittee on Governance.**

Prof. Rakowitz writes “When the AC passed your motion on 10/5 asking for feedback from the PLE committee on this proposal, I took that as implying that the Subcommittee on Governance had not done due diligence in bringing this proposal forward.” There was absolutely no indication that the AC was either saying overtly or implying that the ACSG had not done due diligence. In subsequent email conversations, the ACSG Chair explained that the ACSG “consulted broadly” and the AC never raised any doubt on this point. However, there was no report of any broad consultation in the ACSG report. Moreover, given that the recommendation from the ACSG regarding the PL&E committee was made after the 6/23/09 meeting, it is unlikely that any formal deliberations could take place with the PL&E committee until the fall when the new members began their terms and a new chair was elected. For the AC to request formal and official communication from a *Handbook* committee with minutes of an official meeting is standard procedure and does not in any way imply that the ACSG was neglectful.

**Specific assertions re Academic Council Executive Committee (ACEC) conduct.**

Prof. Rakowitz writes:

Your current focus on tracing communication with the chair of PLE on this issue seems to be an attempt to obscure the facts that: a) your inaction slowed the progress of the governance proposals; and b) the PLE committee has no objection to the proposal as it would simply formalize what has been happening for the last year.

Some observations on the suggestions made above:

- The ACEC is no more focused on tracing communication than on any other item we find on our To Do lists on AC business. The ACEC received a puzzling communication from the PL&E Chair concerning Council business, and followed up on it.
- The ACEC followed our usual procedures in this matter, for example, getting the wording and discussion of the motion from the AC minutes, collecting other material such as the relevant section from the AC Subcommittee on Governance report, compiling issues raised by AC members concerning this item, and the like. These were compiled into a memo to the PL&E Chair (see the 11/2/09 AC packet for this memo). This is the same general procedure that the ACEC has followed for years, and it is a procedure we think has worked well.
- The progress of the governance proposals was not slowed. There was no chance of getting clear correspondence to the committees, and getting thoughtful and documented responses back from the committees, in the four business days between the 10/5/09 AC meeting and when that meeting was reconvened. For our November meeting, the AC now has a helpful response from the PL&E committee (and others) on the proposals, and will consider the PL&E and the handful of other remaining governance proposals at our 11/2/09 AC meeting. Should the AC need to send any items or recommendations on to the General Faculty, those items will be on the agenda of the November General Faculty meeting two weeks later.
- As a corollary to the above, the ACEC earlier in the semester compiled a list of known and possible AC agenda items. The ACEC recognized that three of the items, namely the governance proposals, the fiscal proposals, and the School of Nursing doctoral program proposal, needed handling sooner than others. The ACEC has done its best to see that these three items got through the Council in time to be considered (where necessary) by the General Faculty no later than the November 20 General Faculty meeting. In short, our goal all along has been to see these items through the AC in a timely manner, but in such a way that the AC had the information needed to make informed decisions.

### **Back to Business.**

Finally, Prof. Rakowitz writes, “I trust that we can now put these questions to rest, and move without further delay to the Council’s consideration of the proposal itself.” As noted above, the goal of the ACEC all along has been to see these items through the Council in a timely manner, but in such a way that the Council has the information needed to make informed decisions. We certainly expect the AC to move quickly, and responsibly, on the small number of remaining governance proposals.