

Minutes
Faculty Senate Meeting
4 February 2009

Professor Stephen Silvia called the meeting to order at 2:15 p.m.

Present: Professors Stephen Silvia, Gary Weaver, Randall Blair, Wendell Cochran, Carole Gallaher, James Girard, Robert Karch, Kiho Kim, Ira Klein, William Leap, Nanette Levinson, Andy Pike, Gwendolyn Reece, Leigh Riddick, Anthony Riley, Joanne Savage, Stacey Snelling, Steven Taylor, Shalini Venturelli, Patricia West, Michael Wilkerson, and Dean Mardirosian.

Welcome and Introduction, Stephen Silvia

Professor Silvia welcomed everyone to the meeting, and the Senators ***VOTED*** to approve the December minutes.

Report of the Chair, Stephen Silvia

Professor Silvia announced that there will be a special Faculty Senate meeting to discuss and to vote on the budget on Wednesday, February 18, from 3:00 to 5:00 in the Butler Board Room.

Report of the Provost, Haig Mardirosian

Budget

Final touches are being put on the budget now. As the document from the Instructional Budget and Benefits Committee outlines, Provost Bass has made a rather bold submission pertaining to academic affairs, which reflects the overall theme of the budget, in that it is a robust affirmation of what academics are at American University and how they will be funded in conjunction with the Strategic Plan. This submitted budget will be reconciled with the revenue projections and sent to the Board of Trustees, once all of the Vice Presidential budgets are submitted. The bottom line is that in this budget there will be about \$35-\$40 million of new academic spending specific to the Strategic Plan. There are a number of sources backing up this sum, about \$5 million contributed from the Colleges and Schools, and central monies that have been reallocated. This budget reflects a change from cash savings toward investing as a result of the successes in building up reserves over the years. Over the past two past budgets and this current one, American University will have increased the number of faculty lines by almost 70 people, or 15 percent. These lines had often been filled by temporary faculty rather than used as tenure-track positions. The Deans have now been given greater freedom to decide what to do with these lines, and the conversion of the lines to tenure-track status no longer requires approval by the Dean of Academic Affairs.

Strategic Plan

There was a recent memo from President Kerwin highlighting the items from the strategic plan that would be priorities in the budget over the next two years.

Enrollment

With regard to fall 2009, trends for graduate numbers are indicating a rise in applications and deposits, which is customary in tough economic times. The undergraduate numbers are also strong. There has been a slight decrease in applications, which amounts to less than three percent, but an increase in deposits of seven percent. The important thing is that the quality is up from last year, with a 10-point rise in the average SAT scores and a slight increase in the average GPA.

With regard to the current spring semester, there is a significant increase, exceeding the budget estimate, in terms of new student enrollment. There is an increase of 116 new first year students, 95 new transfer students, and a record high retention of 97.3 percent.

Searches for Vice-Provosts

The search committees for both the undergraduate vice president and the graduate vice president have progressed to the interview pools and candidates are starting to come to campus for interviews.

Announcement of Faculty Summit, Dean Kay Mussell

Dean Mussell announced that on Saturday, February 21, there will be an all-day Faculty Summit, sponsored by Provost Bass, and entitled, *Building Community, Empowering Faculty: Successes, Aspirations, and Solutions*. The day will start with breakfast, followed by a charge from Provost Bass. There will then be a large panel entitled, *We Can Do It Here*, which will highlight successes in developing academic programs and the campus community. This will be followed by the first of two sets of smaller “break out” panels work sessions, which are structured around specific questions. After a lunch break, everyone will be invited to attend the basketball game against Holy Cross. The second break-out session will follow. There will be *rapporteurs* in these work sessions. At the end of the day, there will be a cocktail reception and a raffle.

Committee Reports

Committee on Information Services, Patricia West

Ms. West presented the revised *Policy on Ownership of Copyright for American University* from the Committee on Information Services, and outlined the changes that had been made. Professor Venturelli raised two amendments that she had submitted to the Senate Executive Committee, but that the Committee, after considerable discussion at the executive committee meeting a week earlier, had decided not to incorporate into the draft. In the first suggested amendment would have created a permission-procedure regarding the provision of faculty intellectual property to third parties outside of the University. The second suggested amendment would have expanded the scope of the dispute-settlement language in the draft beyond the determination of ownership to encompass all disputes concerning intellectual-property issues. Professor Silvia explained that the Executive Committee did not accept these amendments because it concluded that the first would actually have the effect of weakening faculty ownership rights and, regarding the second suggested amendment, that reliance on the standard grievance procedure would be more effective. The Executive Committee had consulted with University Counsel regarding the matter and had several e-mail exchanges with Prof. Venturelli before the Senate meeting. American University attorney, Justin Perillo, had written a passage in an e-mail exchange that Prof. Silvia had shared (with Mr. Perillo’s permission), with Prof. Venturelli. In the estimation of Profs. Venturelli and Silvia, this passage

provided clarity regarding faculty ownership. Mr. Perillo volunteered to read the passage to the Senate:

The Copyright Ownership Policy states that the faculty grants the University a non-exclusive license to use the work created for ordinary teaching use in the classroom (including but not limited to syllabi, tests, assignments, reading lists, course description) for educational, research, internal, archival, or any other purpose consistent with the mission of the University. From a legal perspective, a non-exclusive license does not grant the University any intellectual property rights in the works. All copyright in said works remain with the faculty. The non-exclusive license simply gives the University permission to use the work for the use stated. In addition, the University's non-exclusive license granted does not get transferred to a third party. This means that a third party does not have any permission to further distribute the work if he/she gained access to it. The third party still must get permission from the copyright owner.

Professor Silvia summarized the passage by saying that it means faculty maintain ownership of their scholarship and the material they produce for use in the classroom. American University has a non-exclusive license to use the educational materials to fulfill its mission of educating students. Non-exclusive use means that faculty can license or sell this material without restriction from the University.

Professor Weaver called the question. A suggestion to add Justin Perillo's statement as a footnote to the Policy was made and accepted unanimously.

The Senate **VOTED** 21 to zero, with zero abstentions, to pass the *Policy on Ownership of Copyright for American University*.

Instructional Budget and Benefits Committee – Budget Report, Jim Girard

Professor Girard began by saying that American University is on solid financial ground as compared with other universities, since it does not depend on large endowment for operating funds, bonds used for capital construction have recently been renegotiated with more favorable rates, annual class sizes have large, and retention is good.

Provost Bass has suggested that the name of the committee should be changed to not include the word *instructional*, but instead Academic. The Senate has agreed to make this change.

The recommendations of the Committee on Instructional Budget and Benefits are based on supporting the priorities for the new Strategic Plan, namely, the transformational and enabling goals. Professor Girard highlighted the main points of the budget (the budget will be discussed in further detail at the Special Faculty Senate meeting on February 18).

The committee recommended a graduate and undergraduate tuition increase of 5 percent, and an undergraduate summer tuition increase of 6 percent. These are within the 4.5 to 6.5 percent-range that the Senate had already approved in November 2008. Additionally, the committee reported the recommendation a total of 23 new tenure track faculty and 12 temporary faculty over the next two years, and an average salary increase of three percent annually for faculty and staff.

The revenue plan provides as estimate of expected income available, assuming enrollment estimates are met. The budget model starts with the total estimated revenue. Before new expenditures are considered, the increase in financial aid is subtracted, as well as the FY2010 unit planning base

budgets. Other adjustments are also made, such as, increases in the cost of utilities and health insurance, and transfers for the quasi-endowment, tuition management reserve, debt service of the SIS building, prefunding and cash for merit increases, equipment and furnishings funds increase, DC minimum wage increase, and the auto-enroll 403(b) plan. In the end, the amount of discretionary funds available for support of the Strategic Plan is approximately \$6 million for FY2010 and \$8million for FY2011. In order to fund the Strategic Plan more adequately, other adjustments have been recommended, including adjustments to the transfers to the quasi-endowment and the tuition management reserve. In addition to the new monies identified, the Deans are committing \$5million from current discretionary funds to support the Strategic Plan.

Instructional Budget and Benefits Committee – Family Leave Policy, Jim Girard

The committee has brought forward a proposal for a Family Leave Policy. The policy applies to tenure/tenure track faculty and temporary faculty with multi-year contracts. It would supplement the University's Family and Medical Leave Policy, which provides for eligible faculty to take unpaid leave for certain medical and family situations. A faculty member who experiences a qualifying event as defined by the Family Medical Leave Act (e.g., birth or adoption of a child, or eldercare) would receive a course release and, in addition, has the option of working out modified arrangements with a Department Chair, Division Director or Dean, that would substitute for the faculty member's normal set of work obligations. The Senior Vice Provost would oversee the implementation of the policy to ensure consistency across academic units. There was consensus among Senators that further discussion of the policy within the academic units was warranted. There was also agreement that the Senate should take up the matter at its March meeting.

Committee on Faculty Relations – Faculty Manual , Randall Blair

Prof. Blair reported that the Committee on Faculty Relations has been making progress revising sections 8 and 13 of the Faculty Manual. Prof. Blair was hopeful that the committee would be able to complete these revisions in time to be able to present them at the March Senate meeting.

Committee on Student Learning and Academic Engagement – University Book Services Committee, Ira Klein

Prof. Klein presented his report on book services at the University. Professors Klein and Silvia drafted a resolution to create a Book Services Committee preceding the Senate meeting, which Prof. Klein presented to the Senate. The resolution states:

A RESOLUTION TO FORM A UNIVERSITY BOOK SERVICES COMMITTEE:

The Faculty Senate calls for the creation of a University Book Services Committee.

The purpose of the Committee is to provide for shared oversight of University book services. Representatives of the academic and financial components of the university will have joint responsibility for providing the best possible system for ordering and delivering books, and for satisfying student and faculty book requirements, while considering University financial interests. The committee shall also evaluate prospective contracts for providing book services. Where necessary, the committee will inquire into how services are performed, with a view toward recommending improvements.

The committee shall consist of one faculty member selected by the Faculty Senate Executive Committee, one student selected by the AU Student Government in consultation with the Graduate Leadership Council, two administrators selected by the Office of Finance and Treasurer, and one administrator selected by the Office of Campus Life.

Faculty and student members of the Committee shall be selected at the start of each academic year for a term of one year.

The Faculty Senate **VOTED** to create the committee, with 15 votes in favor, zero opposed and one abstention.

The meeting adjourned at 4:45.