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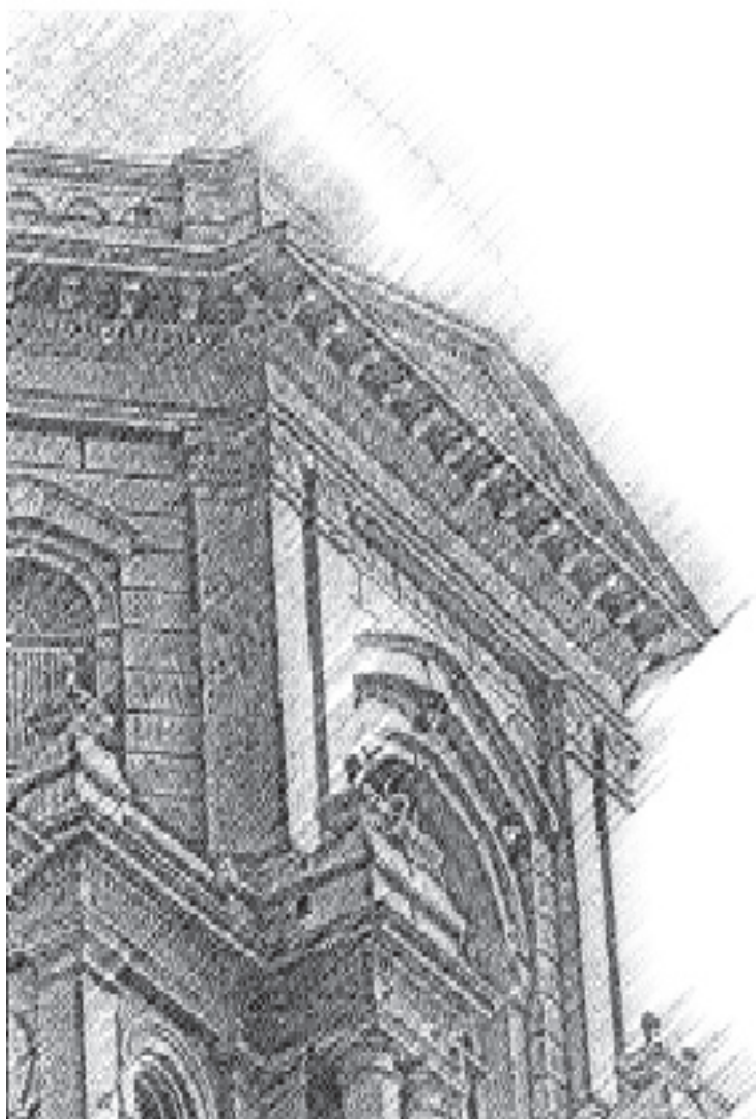
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Faculty Notes

Honors

R. Scott Appleby, professor of history and the Reagan Director of the Kroc Institute, received an honorary doctor of law degree from Saint John's Univ., Collegeville, Minn., May 14.

J. Douglas Archer, librarian, has been elected vice chair/chair elect of the American Library Association's Intellectual Freedom Round Table.

Laura Fuderer, associate librarian and Nanovic Institute Fellow, **Linda Sharp**, associate librarian, and **Cheryl Smith**, assistant librarian, were honored by having their article "Testing the Effectiveness of Interactive Multimedia for Library-User Education" chosen as one of the "Top 20 Library Instruction" articles of 2005. The article was originally published in *Portal: Libraries and the Academy* 5, No. 4 (2005): 527–44.

Kevin Hart, the Notre Dame Professor of English, concurrent professor of philosophy, and Fellow of the Nanovic Institute, was elected to the *Comité scientifique de l'Association des amis de Maurice Blanchot*.

Rev. John I. Jenkins, CSC, President, received an honorary doctor of humane letters degree from Benedictine College, May 13.

Alasdair MacIntyre, research professor of philosophy and Fellow of the Center for Ethics and Culture, was elected to the American Philosophical Society.

Rev. Edward A. Malloy, CSC, President Emeritus, received honorary degrees from Fordham Univ. on May 20, and from King's College on May 21, his 24th and 25th honorary degrees.

Margaret Meserve, assistant professor of history, was awarded a 2006–07 Rome Prize fellowship from the American Academy in Rome.

Oliver F. Williams, CSC, director of the Center for Ethics and Religious Values in Business, and Fellow of the Kroc Institute,

was appointed to the inaugural three-member board of directors of the United Nations Foundation for the Global Compact. The mission of the UN Global Compact is to advance a more sustainable and inclusive global economy.

Activities

Gary Anderson, professor of theology, presented the keynote address titled "What Can a Catholic Learn from the History of Jewish Biblical Exegesis?" at a conference at Boston College on the theme "Fuller Meanings: Jewish and Christian Readings of the Bible," April 24; and presented the "Ilan Harris Memorial Lecture in Jewish Studies" at Northwestern Univ. on May 7; "The Election of Israel: Reflections of a Catholic Old Testament Scholar."

Ani Aprahamian, professor of physics, was an IPA Rotator at the National Science Foundation; acted as a reviewer for the Physics Dept. at Western Michigan Univ. (2006), and for the International Science and Technology Center (2005–06); and was one of three panelists at a session of "Most Influential Women in Science and Scientific Publishing" of the 49th annual meeting of the Council of Science Editors, May 21.

J. Douglas Archer, librarian, presented "Intellectual Freedom Issues: Privacy and Confidentiality" at the INCOLSA "RFIDs in Indiana Libraries" Workshop, Indianapolis, on May 11.

Paul M. Cobb, associate professor of history and Fellow, the Medieval Institute, was commentator for the panel "Creation of Text in Early Islam" at the Middle East History and Theory Conference, Univ. of Chicago, May 13.

Jean A. Dibble, associate professor of art, was invited to exhibit her work in the following group exhibitions: "Mammalian Future," Zayed Univ., Abu Dhabi, United Arab Emirates, April 1–30; "Mammalian Future," Dubai, United Arab Emirates, May 1;

"American Prints in Troubled Times," Haydon Gallery, Lincoln, Neb., Feb 1 through March 30; "UW MFA Printmaking Alumni," Porter Butts Gallery, Univ. of Wisconsin-Madison, March 23 through April 30; "A Mammalian Future?" at Univ. of Wisconsin-Madison, April 1–30; and "Fifth Lessedra World Art Print Annual," National Palace of Culture, Sofia, Bulgaria. She lectured on her recent work at the Univ. of Iowa on March 23; was invited to participate in an international exchange portfolio: "A Mammalian Future?" at the Univ. of Utah, Salt Lake City, Jan. 1; and her work was added to permanent public collections at Kohler Art Library Archives at the Univ. of Wisconsin-Madison and SGC Archives at the Univ. of Mississippi, Oxford.

Agustín Fuentes, the O'Neill Associate Professor of Anthropology and Flatley Director of the Office of Undergraduate and Post-Baccalaureate Fellowships, presented "Measuring Meaning and Understanding in Primatological and Biological Anthropology Fieldwork" at the conference titled "Fieldwork: Examining Its Practice among Biological Anthropologists and Primatologists" at Oxford-Brooks Univ., May 5–6.

Teresa Ghilarducci, professor of economics, appeared on the PBS program *Frontline* on May 16 to discuss "Can You Afford to Retire?" regarding problems with the current retirement system in the United States.

Thomas A. Gresik, professor of economics and econometrics, presented "The Effect of Affiliation on Equilibrium Strategies in k-Double Auctions" at an invited seminar at Pennsylvania State Univ. on April 28 and at the Midwest Economic Theory meetings held at Michigan State Univ. on April 30.

Rev. Daniel G. Groody, CSC, associate professor of theology, presented "Spirituality on the Western Front: Religious Experience and Human Transformation at the Mexican-American Border," Lineae Terrarum Conference, New Mexico State Univ., Las Cruces, March 29; was an invited symposium participant at a Catholic-Evangelical forum on public policy, Georgetown Univ. Law School, Washington, D.C., March 24; presented "Undocumented Mexican Migration and the Challenge of Diversity: Theological Challenges for the American Mind," Oxford Round Table, Lincoln College, Univ. of Oxford, England, March 14; and was a panelist on "Strangers

No Longer: Being Neighbor to Our Immigrant Community,” Kroc Institute/Migration and Refugee Services-US Conference of Catholic Bishops, Notre Dame, Jan. 24.

Gordon L. Hug, associate professional specialist in the Radiation Laboratory, presented a seminar titled “Rediscovering Biomolecular Homolytic Substitution Reactions with Time-Resolved Electron Spin Resonance: H-atom Reactions with a-(Alkylthio)carbonyl Compounds” at the Univ. Paris-Sud, Orsay, France, May 5.

Maxwell Johnson, professor of theology, presented the invited lecture titled “Walking West from the Hungry Feast: Living Out Our Baptism in a Eucharistic Way” as “The Rev. Wilfred A. Illies ‘Heart Speaks to Heart’ Inaugural Memorial Lecture,” Christ Church Newman Center, St. Cloud, Minn., April 22.

Prashant V. Kamat, professor of chemistry and biochemistry, senior scientist in the Radiation Laboratory, and concurrent professor of chemical and biomolecular engineering, presented a seminar titled “Molecularly Wired Hybrid Assemblies for Solar Energy Conversion” at Argonne National Laboratory, May 1–2. A paper he prepared with I. Robel, **Bruce A. Bunker**, professor of physics, and **Masuro Kenneth Kuno**, assistant professor of chemistry and biochemistry, titled “Exciton Recombination Dynamics in CdSe Nanowires: Biomolecular to Three-Carrier Auger Kinetics,” was presented by I. Robel at the 2006 Users Meeting of the Center for Nanoscale Materials and the Advanced Photon Source at Argonne National Laboratory, May 2–5; “Platinum Nanoparticles Anchored on Single-Wall Carbon Nanotubes” (written with A. Kongkanand, S. Kubata, and G. Grishkumar), “Photoinduced Charge Transfer Processes in Chromosphere Functionalized Metal Nanoparticles” (written with **P.K. Sudeep**, research associate in the Radiation Laboratory, and K. George Thomas), “Single Wall and Stacked-Cup Carbon Nanotubes for Light Energy Conversion” (written with T. Hasobe and S. Fukuzumi), and “CdSe Quantum Dot Solar Cells” (written with V. Subramanian, I. Robel, and M. Kuno) were presented at the Electrochemical Society meeting, Denver, May 7–12.

Thomas Kselman, professor of history, presented “What If? The Bautain Circle and the Trajectory of Catholic-Jewish Relations in Modern France,” the presidential address, to the American Catholic Historical Association, Jan. 8, in Philadelphia.

Ian Kuijt, associate professor of anthropology, presented “Embodiment, Embedding and Cycles of Time among the Neolithic Living Dead,” copresented “Stone Tool Drilling Technology and Retouch Intensity: A Neolithic Case Study” with C. Quinn and W. Andrefsky Jr., and copresented “Tool Production and Maintenance during the Transition to Agriculture: A Case Study from the Near Eastern Neolithic” with E. Carlson, N. Goodale, and B. Finlayson, all at the 71st annual meeting of the Society for American Archaeology, San Juan, Puerto Rico, in April.

Aaron Han Joon Magnan-Park, assistant professor, Dept. of Film, Television, and Theatre, core member of the Center for Asian Studies, and Fellow, Nanovic Institute, presented “Kang Je Gyu and the ‘Critical Fun Factor’ in *Taegukgi: The Brotherhood of War*” at an academic symposium on Globalization and Contemporary Korean Cinema, Stanford Univ., on Feb. 10; was an invited panelist at the thematic forum “Korean Film and Two Koreas” at the fourth San Francisco Korean American Film Festival “Beyond Borders! Demystifying the Korean Image through the Media Arts,” Feb. 11; and presented “En-Gendering Re-Gendered Romance of Multiple Lives: Reincarnation in *Bungee Jumping on Their Own*” at a meeting of the Society for Cinema and Media Studies, Vancouver, B.C., in March.

Rudolph M. Navari, director of the Notre Dame Cancer Institute and adjunct professor of chemistry and biochemistry, presented “Chemotherapy Induced Nausea and Vomiting: New Treatment Options” at the annual meeting of the Hoosier Oncology Group, May 13, Indianapolis.

Rev. Ronald Nuzzi, director, ACE Leadership program, made a presentation to the Notre Dame Alumni Club of Dallas titled “Catholic Schools: *Pro Deo et Patria*” on May 4; and presented the workshop, “Developing New Models of Governance,” for pastors and principals in the Diocese of Youngstown, Ohio, May 15.

Joseph M. Powers, associate professor of aerospace and mechanical engineering, presented the papers “Two-Dimensional Shock-Fitted Numerical Solutions,” written with A.K. Henrick and T. Aslam, and “Strategies for Computing Slow Invariant Manifolds in Reactive Systems,” written with **Samuel Paolucci**, professor of aerospace and mechanical engineering, at the “SIAM Eleventh International Conference on Numerical Combustion,” Granada, Spain, April 23–26.

Gabriel Said Reynolds, assistant professor of Islamic Studies and Theology, delivered the lecture “Islam and Christianity” for the Univ. of Toledo series on “Christianity and World Religions,” April 26.

Deborah L. Rotman, director of undergraduate studies in the Dept. of Anthropology, presented “Separate Spheres? Beyond the Dichotomies of Domesticity” in the symposium “Moving Beyond the Legacy of Separate Spheres,” which she organized with H. Van Wormer for the annual meeting of the Society of Historical and Underwater Archaeology, Sacramento, Jan. 10–15; presented “Archaeology and the Underground Railroad,” an invited presentation given with W. Wepler at the Indiana State Museum teacher workshop “Finding the Truth in the Underground Railroad” at the Indiana State Museum, Indianapolis, Feb. 18; and organized the 24th annual meeting of the Symposium on Ohio Valley Urban and Historic Archaeology, Madison, Ind., March 18.

Yorke Rowan, visiting assistant professor of anthropology, and A. Cohen organized “Archaeology of Religion and Ritual,” a session at the annual meetings for the Society for American Archaeology in San Juan, Puerto Rico on April 27, where they presented “Archaeological Understandings of Religion and Ritual Practice” and Rowan presented “Poor Man, Rich Man, Shaman, Priest?” with D. Ilan.

Mark R. Schurr, associate professor of anthropology and department chair, and T. Mathney co-organized the session “Teaching and Practicing Geophysical Prospecting in Archaeology” at the North Central Section of the 40th annual meeting of the Geological Society of America in Akron, Ohio, April 20. He also presented the paper “Geophysical Surveys Do Not Have to be Large to be Very, Very, Useful” in the session.

Eugene Ulrich, the O'Brien Professor of Theology, presented a Hesburgh lecture, "The Impact of the Dead Sea Scrolls on Our Bible," for the Notre Dame Club and Marist College, Poughkeepsie, N.Y., April 19; and a lecture, "The Impact of the Dead Sea Scrolls on Our Bible," accompanying the Dead Sea Scrolls exhibition at Discovery Place, Charlotte, N.C. on May 9.

John P. Welle, professor of Romance languages and literatures, concurrent professor in the Dept. of Film, Television, and Theatre, and Fellow of the Nanovic Institute, gave the invited lecture "The Cinema Arrives in Italy: Early Film and Cultural Reception" at Gettysburg College, Penn. on April 3.

Oliver F. Williams, CSC, director of the Center for Ethics and Religious Values in Business, and Fellow of the Kroc Institute, presented "Ethics After Enron" to the Notre Dame Club of Dallas, April 24.

Publications

Christine Babick, director of strategic communications planning in the Notre Dame Media Group, published "Web Sight: A New Vision for Online Content," *Case Currents* (May/June): 3.

Joseph Bauer, professor of law, published "Israel: A Model for Democracy in the Middle East" with R. Feferman, *South Bend Tribune* (May 7).

Susan Blum, director of the Center for Asian Studies, Fellow of the Kellogg Institute, and associate professor of anthropology, published "Diamond in the Field: The Life and Work of Norma Diamond" in *Michigan Discussions in Anthropology* 16 (2006): 212–47.

Eileen Hunt Botting, the Rolfs Assistant Professor of Political Science, and S.L. Houser published "Drawing the Line of Equality": Hannah Mather Crocker on Women's Rights" in *American Political Science Review* 100, No. 2 (May).

Ian C. Carmichael, professor of chemistry and biochemistry and director of the Radiation Laboratory, published "Hydrogen and Deuterium Atoms in Octasilsesquioxanes: Experimental and Computational Studies" with M. Päch and R.M. Macrae, *J. Am.*

Chem. Soc. 128, No. 18 (2006): 6111–25; "Density Functional Investigation of High-Spin XY (X = Cr, Mo, W and Y = C, N, O) Molecules" with F. Stevens, F. Callens, and M. Waroquier, *J. Phys. Chem.* 110, No. 14 (2006): 4846–53; "Hyperfine Interactions in Muonium-Containing Radicals" with S.L. Thomas, *Physica B* 374–75 (2006): 290–94; "The Rh-Ligand Bond: RhX (X = C, N, O, F, P and Cl Molecules)" with F. Stevens, V. Van Speybroeck, F. Callens, and M. Waroquier, *Chem. Phys. Lett.* 421 (2006): 281–86; and "¹J_{CH} Correlates with Alcohol Hydrogen Bond Strength" with N.C. Maiti, Y. Zhu, Ian Carmichael, **Anthony S. Serianni**, professor of chemistry and biochemistry, and V.E. Anderson, *J. Org. Chem.* 71, No. 7 (2006): 2878–80.

Daniel M. Chipman, professional specialist in the Radiation Laboratory and concurrent professor of chemistry and biochemistry, published "Stretching of Hydrogen-Bonded OH in the Lowest Singlet Excited Electronic State of Water Dimer" in *J. Chem. Phys.* 044305 (2006): 1–9; and "Cation Electric Field is Related to Hydration Energy" (with F. Chen), *ibid.* 144507 (2006): 1–5.

Amitava Krishna Dutt, professor of economics and Fellow, Kellogg and Kroc Institutes, published "Keynesian Theory and Aggregate Demand–Aggregate Supply: A Reconsideration" (with P. Skott) in C. Chiarella, P. Flaschel, R. Franke, and W. Semmler, eds. *Quantitative and Empirical Analysis of Nonlinear Dynamic Macromodels* (Amsterdam: Elsevier, 2006): 149–72.

Rev. Virgilio Elizondo, the Notre Dame Professor of Pastoral and Hispanic Theology and Fellow in the Kellogg Institute, edited *The Treasure of Guadalupe* with **Timothy Matovina**, associate professor of theology and director, Cushwa Center for the Study of American Catholicism (Lanham, Md.: Rowman and Littlefield, 2006).

David Fagerberg, associate professor of theology, published a booklet titled "Christian Meaning of Time: Feasts, Seasons and the History of Salvation" in a mystagogical series, *Advanced Catechesis* (Catholic Truth Society, 2006).

Guillermo Ferraudi, professional specialist in the Radiation Laboratory, published "On the Association and Structure of Radicals Derived from Dipyrro[3,2-a:2'3'-

c]phenazine: Contrast between the Electrochemical, Radiolytic, and Photochemical Reduction Processes" with M.P. Juliarena, R.O. Lezna, M.R. Feliz, G.T. Ruiz, S. Thomas, and **Ian Carmichael**, professor of chemistry and biochemistry and director of the Radiation Laboratory, *J. Org. Chem.* 71, No. 7 (2006): 2870–7; and "On the Photo- and Electro-Induced Polymerization of M(tetrakis(x-aminophenyl)porphyrin), Where x = 2, 3 or 4 and M = Zn(II) or Ni(II)" with F. Armijo, F. Isaacs, M.J. Aguirre, and J. Costamagna, *Inorganica Chimica Acta* 359 (2006): 2281–84.

Kevin Hart, the Notre Dame Professor of English, concurrent professor of philosophy, and Fellow of the Nanovic Institute, published the poem "Night Music" in *Verse* 22, Nos. 2 and 3 (2006): 145–54.

Prashant V. Kamat, professor of chemistry and biochemistry, senior scientist in the Radiation Laboratory, and concurrent professor of chemical and biomolecular engineering, published "Singlet and Triplet Excited-State Interactions and Photochemical Reactivity of Phenyleneethynylene Oligomers" with **P.K. Sudeep**, research associate in the Radiation Laboratory, P.V. James, and K. George Thomas, *J. Phys. Chem. A* 110, No. 17 (2006): 5642–49.

Kwan S. Kim, professor of economics and policy studies and Fellow of the Kellogg Institute, published "Possibilities and Challenges for Financial Integration in East Asia: Lessons from a Comparative Regional Perspective," *EconoQuantum* 2, No. 1 (2005): 91–126.

Thomas Kselman, professor of history, published "Challenging Dechristianization: The Historiography of Religion in Modern France" *Church History* 75 (2006): 130–39; "Turbulent Souls in Modern France: Jewish Conversion and the Terquem Affair," *Historical Reflections/Réflexions Historiques* 32 (2006): 83–104; and "Les congrégations françaises aux Etats-Unis et la loi de 1901," *Le Grand exil des congrégations religieuses françaises, 1901–1914*, P.K. Cabanel and J.-D. Durand, eds. (Paris: Cerf, 2005): 257–67.

Jay A. LaVerne, professional specialist in the Radiation Laboratory and concurrent research professor of physics, published "Products of the Triplet Excited State Produced in the Radiolysis of Liquid Benzene" with K. Enomoto and **Simon M. Pimblott**,

professional specialist in the Radiation Laboratory and concurrent research professor of physics, *J. Phys. Chem. A* 110, No. 11 (2006): 4124–30.

Keith P. Madden, associate professional specialist in the Radiation Laboratory, published “Kinetics and Mechanisms of the Reactions of Hydroxyl Radicals and Hydrated Electrons with Nitrosamines and Nitramines in Water” with S.P. Mezyk, D.B. Ewing, and J.J. Kiddle, *J. Phys. Chem. A* 110, No. 14 (2006): 4732–37.

Yorke Rowan, visiting assistant professor of anthropology, published “Flint Tool Production at Gilat” (pp. 507–74), “Gilat’s Ground Stone Assemblage: Stone Fenestrated Stands, Bowls, Palettes, and Related Artifacts” (with T.E. Levy, Y. Goren, and D. Alon, pp. 575–684), “The Intensification of Production in the Gilat Sanctuary: Dimensions of Textile and Other Forms of Manufacture” (with T.E. Levy and W. Connor, pp. 705–38) and “The Sanctuary Sequence: Excavations at Gilat: 1975–77, 1989, 1990–1992” (with T.E. Levy, D. Alon, J. Anderson, and M. Kersel, pp. 95–212), all of which appeared in *Archaeology, Anthropology and Cult: The Sanctuary at Gilat*, T.E. Levy, ed. (London: Equinox Press, 2006).

Yang Sun, visiting associate professor of physics, published “Temperature-Dependent Gap Equations and Their Solutions in the SU(4) Model of High-Temperature Superconductivity” with M. Guidry and C.-L. Wu, *Phys. Rev. B* 73 (2006): 134519.

Oliver F. Williams, CSC, director of the Center for Ethics and Religious Values in Business, and Fellow of the Kroc Institute, published “The UN Global Compact” in *An African Perspective: The St. Augustine Papers* 6, No. 1 (Johannesburg: St. Augustine College of South Africa, 2005): 1–28.

Administrators’ Notes

Activities

Taku Hasobe, visiting scholar in the Radiation Laboratory, presented “Enhanced Photoelectrochemical Property of Shape and Functionality Controlled Organization of TiO₂-Porphyrin-C60 Assembly” (written with S. Fukuzumi and **Prashant V. Kamat**, professor of chemistry and biochemistry, senior scientist in the Radiation Laboratory, and concurrent professor of chemical and biomolecular engineering) and “Ordered Structures of Porphyrins and Carbon Nanotubes and Their Role in Light Energy Conversion” with coauthors S. Fukuzumi and Prashant V. Kamat at the Electrochemical Society meeting, Denver, May 7–12.

Kensuke Takechi, visiting scholar in the Radiation Laboratory, presented “Cyanine Dye Aggregates for Photocurrent Generation in Near-IR Region” with coauthors **P.K. Sudeep**, research associate in the Radiation Laboratory, I. Robel and **Prashant V. Kamat**, professor of chemistry and biochemistry, senior scientist in the Radiation Laboratory, and concurrent professor of chemical and biomolecular engineering, at the Electrochemical Society meeting, Denver, May 7–12.

Kizhanipuram Vinodgopal, visiting scholar in the Radiation laboratory, presented “Single Wall Carbon Nanotube Supports for Portable Direct Methanol Fuel Cells” with G. Grishkumar and **Prashant V. Kamat**, professor of chemistry and biochemistry, senior scientist in the Radiation Laboratory, and concurrent professor of chemical and biomolecular engineering, at the Electrochemical Society meeting, Denver, May 7–12.

Publications

Alan S. Bigger, director of Building Services, published “Penny Wise: Pound Foolish” with L.B. Bigger, *Executive Housekeeping Today* 28, No. 5 (May): 6–8.

Documentation

The University of Notre Dame Academic Council

Meeting of February 21, 2006

Members Present: Rev. John I. Jenkins, C.S.C., Thomas G. Burish, Jean Ann Linney, Christine Maziar, Dennis Jacobs, Jeffrey Kantor, Rev. Mark Poorman, C.S.C., Panos Antsaklis, Seth Brown, Steven Buechler, Gilberto Cardenas, Austin Collins, Philippe Collon, Olivia Remie Constable, Tom Cosimano, Mary Rose D'Angelo, Kenneth DeBoer, Neil Delaney, Stephen Fredman, Nasir Ghiaseddin, James Grace, Frank Incropera, Jennifer Keegan, Manish Kelkar, Joseph Marino, James McAdams, McRae Miller, Christian Moevs, Robert Nelson, Carolyn Nordstrom, Patricia O'Hara, Hugh Page, Teresa Phelps, Ava Preacher, Vijay Ramanan, John Robinson, Mark Roche, Richard Taylor, Scott Van Jacob, Jennifer Warlick, Jennifer Younger.

Members Absent: Vijay Ramanan

Members Excused: John Affleck-Graves, Katie Crossin, Hope Hollocher, Michael Lykoudis, Collin Meissner, Ram Ramanan, Valerie Sayers, Bill Westfall, Carolyn Woo

Observers Present: Mary Hendriksen, LTC Kelly Jordan, Harold Pace

Observers Absent:

Observers Excused: Kevin Barry, Daniel Saracino, Joy Vann-Hamilton

Guests Present: John Stamper, Assoc. Dean, Architecture; Julie Flory, Asst. Director, News and Information

The Reverend John Jenkins, C.S.C. opened the meeting at 3:05 and a member offered an opening prayer.

1. Minutes of the meetings of August 30, 2005, and September 30, 2006: The minutes of the meetings of August 30, 2005, and September 30, 2006, were approved without change.

2. Annual report of the University Committee on Libraries: The annual report of the University Committee on Libraries (2004–2005) was distributed to Academic Council members as an information item. [The report is available to the University community at http://www.library.nd.edu/ucl/annual_reports/documents/UCL_Annual_Report_2004-056.pdf]

3. Proposed amendment to the *Academic Articles* concerning requirements for the chair of the University Committee on Women Faculty and Students: Currently, the University's *Academic Articles* require that the chair of the University Committee on Women Faculty and Students (UCWFS) be "one of the tenured women serving on the committee." *Academic Articles*, Art. IV, Sec. 3(l). At the meeting of December 9, 2005, members voted unanimously to propose a change in this provision both as to its gender and faculty classification requirements. See *Notre Dame Report*, vol. 35, no. 11, pp. 321–323 (Feb. 17, 2006). Their vote was to amend the relevant section so that the position of chair is open to "one of the regular faculty members serving on the Committee." The Executive Committee of the Academic Council supported the proposed change.

Prof. Linney, the Provost's Office liaison to the UCWFS, explained that there are 17 members on the Committee, of which four are students (two undergraduate and two graduate students). The proposal to amend was based largely on the fact that the pool of candidates for the chair position has been very small every year—typically, slates have only one or two members—and members' belief that a faculty member of either gender or who belongs to any regular faculty classification—research, library, special professional, or teaching-and-research—could be an effective leader of the Committee.

Prof. Phelps, who identified herself as a past chair of the Committee, acknowledged that there are a very limited number of tenured

women available to serve on the Committee and then to serve as its chair. She is somewhat concerned, however, that an untenured chair may be reluctant to press forward on controversial issues.

Prof. Warlick, also a past member of the Committee, said that she shares Prof. Phelps' concerns. With the proposed change in the requirements of the chair position, a non-tenured chair might fear repercussions and so dodge contentious issues that require bold leadership. She also suggested that the Council consider why so few senior women are available and/or willing to serve on the Committee.

Prof. D'Angelo, who identified herself as well as a past member of the UCWFS, said that for the reasons Profs. Phelps and Warlick have stated, she believes it is important that the Committee chair is a senior faculty member.

Prof. Linney noted that her review of archived files of the Committee revealed that this very issue of Committee leadership had been discussed several years earlier by the Academic Council. [See *Notre Dame Report*, March 21, 1996, pp. 499–501] At that time, the issue was whether the provost should appoint the chair of the committee or whether members should elect the chair themselves. and, at that time as well, discussion centered on the requirements for the chair position—whether the chair must be a "senior" woman faculty member or simply a "tenured" woman faculty member, and whether either requirement would give the chair "the clout" necessary for effective leadership while not constricting the pool of candidates too heavily.

Prof. Brown, chair of the Faculty Senate, observed that like the Faculty Senate, the UCWFS has both tenured and untenured members. Although the Senate does not require that the chair be tenured, in practice it is almost always the case that only tenured faculty stand for election. In both bodies, perhaps one advantage of requiring that the chair have tenure is that it allows a certain amount of arm twisting of tenured professors—necessary at time to encourage them to step up to the chair position.

Prof. Constable added that she, too, fears that a regular faculty member, as opposed to a tenured faculty member, will not have the requisite credibility with other faculty

members and the administration. She moved to amend the proposal to eliminate the gender requirement for chair but to maintain the requirement of tenure. Under her proposed amendment, the *Articles* would require that the chair of the UCWFS be “one of the tenured faculty members serving on the committee.”

After Prof. Constable’s proposed amendment was seconded, Fr. Jenkins called for a vote. It passed 25 to 5.

Fr. Jenkins then called for a vote on the motion, as amended, to change the requirements of the position of chair of the UCWFS from “one of the tenured women serving on the committee” to “one of the tenured faculty members serving on the committee.” [Thus, while the chair can be either male or female, he or she must be a tenured member of the teaching-and-research faculty.] Members approved the change 30 to 1.

4. Discussion of issues related to Fr. Jenkins’ addresses to the University on the subject of the intersection of academic freedom and Catholic character: Fr. Jenkins said that in the past week or so, he has had very good conversations with a number of people, some of them in this room, about his address to the faculty on January 23, 2006, about the intersection at Notre Dame of academic freedom and Catholic character. [See <http://president.nd.edu/academic-freedom/>] He has received many written responses as well to his comments and proposal. These, too, have been helpful.

The address generated strong views from many quarters on many different facets of the topic of academic freedom. While he knows that some of the conversations are difficult, the fact that the University community is holding these conversations is a positive development. Today, he will highlight just a few points germane to the discussion and attempt to clarify a few others.

Fr. Jenkins emphasized that the real issue at the center of the debate is not censorship but sponsorship—specifically, the criteria the University as a whole, or its departments and other units, use for sponsorship of events and speakers. He has had positive discussions with faculty chairs about this topic and knows that those conversations will continue.

With the issue at the heart of his address clearly in mind, Fr. Jenkins continued, today, he will underscore a few points from the address. The first is that the right of any faculty member or student to speak his or her mind on any issue is absolutely sacrosanct. It is important to emphasize that this right was never at issue for him. It is also important to emphasize that all of us at Notre Dame are seeking a diversity of views, a wide spectrum of views—vigorously presented and vigorously debated. Some of these viewpoints will challenge the Catholic Church’s position; indeed, some of them will make members of our university community uncomfortable. Yet, he has not spoken with any one who does not want that kind of debate. The question at issue is how best to achieve it. Again, from his vantage point, discussions of this issue have been positive.

Second, and just as unequivocally, Fr. Jenkins said, it is critical that we have vibrant discussions at Notre Dame about issues concerning women and of interest to women. In this regard, he thought that various panels connected with the production of the *Vagina Monologues* this year were quite good. Outside of those panels as well, he has had numerous discussions with many members of the University community about the play and its annual production at Notre Dame. He will at the appropriate time in the near future make an announcement about that.

Finally, Fr. Jenkins, said, in connection with the address, some faculty members have written to him about what they considered insensitivity towards gays and lesbians on campus and in our community. He regrets if he gave any offense to anyone. Gays and lesbians are valued members of this community. They should receive, and will receive from him, all of the respect and consideration to which any member of our community is entitled. If there were any misunderstandings that arose from his address, he regrets that deeply.

Fr. Jenkins concluded by reiterating that, as a whole, the entire conversation on the intersection of academic freedom and Catholic character has been very positive. Discussion will continue on campus overall, but in terms of this particular body, if any individual committees or the Council as a body wishes to address the topic, he

would welcome their insights and remarks. He then opened the floor for discussion.

Mr. Van Jacob said that the library faculty is looking at this issue in relation to the intellectual freedom statement they adopted in 2001: “The University Libraries collect, exhibit, and circulate materials and information on all subjects relevant to their mission as defined in their collection development policies without regard to the creators’ origins, backgrounds or views and provide unrestricted access to these materials and information.” http://www.library.nd.edu/about/intellectual_freedom_statement.shtml

Prof. Linney then explained the purpose of today’s discussion a bit further: Is it appropriate for the standing committees of the Academic Council to examine and discuss points raised in Fr. Jenkins’ address as they relate to their various constituencies on campus—undergraduate students, graduate students, and faculty? Or, perhaps, members believe that the process of corresponding directly with Fr. Jenkins is the more appropriate way to move the conversation on this topic forward.

Prof. D’Angelo said that she believes it is very important to engage the standing committees in the ongoing conversation. The topic of academic freedom is absolutely central to the business of the Academic Council.

Prof. Nordstrom concurred. Even before Fr. Jenkins raised the issue directly, she said, the faculty affairs committee had decided at the beginning of the year to adopt threats to academic freedom as one of its major agenda items. The issue was raised in committee at that time in an entirely different context—specifically, what should occur when a faculty member chooses to teach something that is fairly regular in his or her field but is confronted by student reaction or even opposition? How should the University handle such a situation? What kinds of structures would be good to have in place to deal with this problem? While the committee’s starting point is a very different question than that raised by Fr. Jenkins, certainly, the issues could be woven together in her committee as well as in the two other Council committees.

In addition, Prof. Nordstrom said, her students asked her to present to the Council

an idea that has emerged from their own discussions on the topic of academic freedom and Catholic character. They have proposed that Notre Dame develop an institute to deal with questions of academic freedom. All of us, Prof. Nordstrom explained, have read about controversies on other campuses—Harvard and Yale, in particular, have been much in the news—related to this issue. It is apparent to her that questions regarding academic freedom are shaping the landscape of higher education both in America and abroad. An institute dedicated to the topic of academic freedom could hold conferences, publish, and sponsor research on a variety of topics—whether related to fairly standard aspects of the issue or to some issues the discussion of academic freedom has raised at Notre Dame—for example, date rape, sexual violence against women, or the campus hook-up culture.

Prof. Brown made what he characterized as a more modest proposal. He said that in looking at the text of the *Academic Articles* dealing with “academic freedom and associated responsibilities” [Art. III, Sec. 2], one of the things that is most striking is the lack of specific discussion on artistic expression as a category of academic freedom. Yet, he pointed out, it is obvious that there are unique problems associated with artistic expression and academic freedom. In fact, that is the issue central to much of the current debate at Notre Dame’s campus. Thus, perhaps one issue for the Council’s standing committees to consider is whether the Academic Council should add some language to the *Academic Articles* explicitly addressing artistic expression.

Prof. Robinson, chair of the Council’s faculty affairs committee, said that he was a bit confused by the issue today. While it is certainly healthy that discussions on academic freedom are occurring throughout the campus—there have been programs in Arts and Letters and the Faculty Senate, for instance—usually, the committees of this body work best when there is a particular provision of the *Academic Articles* at stake. It is not clear to him what is at issue here for any particular committee.

Prof. Roche said that, first, he does want to convey to Fr. Jenkins that he has heard from many faculty members that they appreciate the fact that a great dialogue is occurring

on campus on the topic of academic freedom and Notre Dame’s Catholic character. Not all of the voices in the debate are measured or cerebral, but there are many interesting perspectives being shared as the campus community discusses a topic that it might not otherwise have explored in this way. What might be beneficial at this point, though, is a public dialogue in which Fr. Jenkins can share with the community some of his thoughts as the debate has moved forward. Prof. Roche then acknowledged that the topic may be so sensitive, perhaps Fr. Jenkins would respond that he prefers to keep gathering information until he sorts things out and then hold a discussion at a later point.

Second, Prof. Roche continued, he shares Prof. Robinson’s view that the Council’s committees work best when they have a particular task. He would support committee discussion of this topic along the lines that Prof. Brown suggested—for example, exploring the relation of artistic expression to academic freedom. That is a very specific task, he said, but it would provide the Council with an opportunity to engage in a discussion of the critical issue of academic freedom.

Fr. Jenkins responded that he is continuing to hold conversations with many people on the points raised in his address. Because his thinking is in development, he is not prepared to make a statement at this time. He agrees that there are many issues surrounding the main issue—with artistic expression certainly a prime example; yet, he does not expect to come out of this discussion having clarified every issue around this very important topic. He would suggest that if the Council’s committees feel that an issue has arisen that needs attention, they should address it.

Prof. Constable said that she was the member of the Executive Committee who suggested that the committees discuss aspects of the academic freedom issue. While she does not have a clear idea of what the outcome would be, she thinks the idea of bringing the topic to committees does make sense. The Council is a University body able to communicate directly with Fr. Jenkins. Given that he invited discussion, dialogue, and general conversation about the topic of academic freedom and Catholic character, and that the Council’s committee

structure ties in very well with the different constituencies of the University—undergraduates, graduate students, and faculty, at least giving the committees the option of discussing the topic among members seems a very good way of keeping communication open.

Prof. Constable added that she can very well see a discussion of various facets of the issue of academic freedom arising in Graduate Council. She knows that the Graduate Student Union is discussing the topic, and the Graduate Council includes a representative of that student group. Given the communication that is designed to occur from the Graduate Council to the Academic Council, even though there may not be a particular question or provision of the *Academic Articles* at stake, the issue as a whole is so important that it could be discussed in that way.

Fr. Jenkins said that he could make himself available to the various committees as they might request.

Prof. Delaney said that while the idea of mandating the various committees to take up the issue of academic freedom does seem a bit of a stretch, he agrees with Fr. Jenkins’ that if the topic arises naturally in the conduct of the business of the various committees, particularly in relation to some specific issue, members should address it. If the various committees choose not to take it up, however, there are plenty of other venues and opportunities for discussion.

Seeing consensus on that point, Fr. Jenkins then called for committee reports.

5. Committee reports:

(a) Undergraduate Studies Committee:

Prof. Preacher, chair, reported that the Undergraduate Studies Committee has three sub-committees at work right now. The first, the subcommittee on Advanced Placement credit, now has a draft proposal that members hope will be refined enough to bring to the full Council at the April meeting. The second subcommittee’s work deals with faculty feedback to the Notre Dame admissions office. Its members are looking at the kinds of students now being admitted to Notre Dame and how they are selected, as well as faculty assessment of their performance once here. Members have met with Mr. Saracino and formulated a set of recommendations. That subcommittee as

well hopes to bring its proposals forward to the Council at the next meeting.

The third subcommittee, headed by Prof. Jacobs, deals with grade validity. Its members are examining data from Institutional Research that seem to indicate a steady and unsustainable rise in the average grade assigned across all undergraduate courses and in the proportion of undergraduate courses in which more than half the students receive a grade of A or A-. The subcommittee has completed a study of the courses of action other major universities have pursued to combat grade inflation. They are preparing to conduct a survey of Notre Dame faculty to learn about the rationales at work on our own campus in assigning grades and various pressures faculty members might experience that could lead to grade inflation or deflation. This subcommittee hopes to bring a series of recommendations to the Council in the fall of 2006.

(b) Faculty Affairs: Prof. Robinson, chair, said that committee members will meet next week to take up issues related to academic freedom—both in regards to Fr. Jenkins' address on the subject and, as Prof. Nordstrom explained earlier, issues related to threats to academic freedom in the classroom. Prof. Robinson also noted that the Faculty Senate's Academic Affairs Committee, meant to be aligned with the work of this Academic Council committee, has produced drafts of changes to the *Academic Articles* pertaining to the selection of the president and other major officers of the University. That committee should have a report ready for the Senate soon.

(c) Graduate Studies Committee: Prof. Constable, chair, said that the committee continues to work on ironing out precisely what its relations are with the Graduate Council. Last year, members had worked on a change of process to create an executive committee for the Graduate Council by which Academic Council committee agenda items would come to the full Graduate Council. The need for this mechanism is made clear by the fact that although her committee generated a number of agenda items in September, they were not actually able to bring those items to the Council until the executive committee was formed and met for the first time in the middle of January.

Prof. Constable noted that some of the Graduate Studies Committee's agenda items have already been implemented. One was to have a discussion in the Graduate Council with both a representative of the Notre Dame public relations office and the development office about ways to better present or "sell" our graduate school as a first-rate place. That process was initiated at the last Graduate Council meeting.

There being no further business, Fr. Jenkins adjourned the meeting at 3:45 p.m.

Respectfully submitted,

Jean Ann Linney
Vice President and Associate Provost

The University of Notre Dame Academic Council

Meeting of March 29, 2006

Members Present: Rev. John I. Jenkins, C.S.C., Thomas G. Burish, John Affleck-Graves, Jean Ann Linney, Christine Maziar, Dennis Jacobs, Jeffrey Kantor, Rev. Mark Poorman, C.S.C., Panos Antsaklis, Seth Brown, Steven Buechler, John Cavadini, Rev. Austin Collins, C.S.C., Tom Cosimano, Katie Crossin, Mary Rose D'Angelo, Kenneth DeBoer, Nasir Ghiaseddin, James Grace, Hope Hollocher, Frank Incropera, Jennifer Keegan, Manish Kelkar, Michael Lykoudis, Collin Meissner, McRae Miller, Christian Moevs, Joseph Marino, Robert Nelson, Carolyn Nordstrom, Patricia O'Hara, Hugh Page, Ava Preacher, John Robinson, Mark Roche, Richard Taylor, Scott Van Jacob, Jennifer Warlick, Bill Westfall, Carolyn Woo, Jennifer Younger.

Members Absent: Philippe Collon

Members Excused: Gilberto Cardenas, Olivia Remie Constable, Neil Delaney, Stephen Fredman, James McAdams, Teresa Phelps, Ram Ramanan, Vijay Ramanan, Valerie Sayers

Observers Present: Kevin Barry, Dennis Brown, Mary Hendriksen, LTC Kelly Jordan, Harold Pace, Joy Vann-Hamilton

Observers Absent:

Observers Excused: Daniel Saracino

The Reverend John Jenkins, C.S.C., opened the meeting at 3:05 p.m. Fr. Austin Collins, C.S.C., offered a prayer.

1. Minutes of the meeting of February 21, 2006: The minutes of the meeting of February 21, 2006, were approved without change.

2. Changes to the *Academic Articles* related to Title IX compliance and to the composition of committees for deans' searches or reviews:

(a) Title IX compliance: Appendix A of the *Academic Articles* specifies appeal procedures for contract renewal, promotion, or tenure decisions that are allegedly the product of sex discrimination.

Subsection (a) provides that if, after consultation with the department chair, dean, and provost, a faculty member believes that an adverse decision was the result of sex discrimination, he or she may submit a petition to the provost requesting review of the case.

Subsection (e) provides: "If the reviewer finds evidence of discrimination on the basis of sex of such a magnitude that it may have affected the disposition of the case, the reviewer shall remand the case for reconsideration, beginning with the Provost's Advisory Committee and proceeding forward through normal procedures. . ."

Subsection (f) provides: "The reviewer in all cases will report his or her decision to remand or not to remand to the petitioner and will provide a detailed written report of his or her findings to the provost."

Prof. Linney said that after an audit, the Office of Civil Rights (OCR) required the University to clarify the chain of events in subsection (e) of the appendix and to include specific time frames in subsection (f).

She explained that as to the first change, the Executive Committee endorsed the proposal to replace the current phrase with "proceeding forward through review by the provost and the president." Standard procedure in tenure and promotion cases is review by the Provost's Advisory Committee, then the Provost, and then the President. The suggested change simply articulates this.

Prof. Linney further explained that the second change merely establishes a timeline. The OCR was concerned that under

the current procedure, a reviewer could conceivably take years to submit a report to the provost. Thus, the Executive Committee discussed specific timetables—either 90 days or 120 days following the initiation of the procedure—but determined that a specific date would ensure that reconsideration of the case, if necessary, could be accomplished in a timely manner. April 1 was chosen because it is consistent with the standard time frame for the provost's and president's review of tenure and promotion decisions.

Prof. Roche asked whether the current language in subsection (e) specifying procedures for remanding a case (beginning with the Provost's Advisory Committee) is stipulated by a court settlement or is the University's own choice. If the latter, the contrast between procedures in cases alleging sex discrimination and those alleging personal bias strikes him as odd. When a faculty member alleges personal bias, a new Committee on Appointments and Promotions (CAP) is convened, or an outside observer, or "monitor," is appointed to be present at CAP meetings when the group reconvenes to decide the case again. [See Article III(f)] In other words, what was colored by bias is stricken. Is it possible for the same procedure to be followed when sex discrimination is alleged?

Prof. Linney replied that as indicated by the note at the end of Appendix A, the current language is derived from a court decision. Now, the Office of Civil Rights is asking the University to clarify two aspects of the court-mandated procedures.

But, Prof. Roche asked, is the University permitted to change language in the appendix in any substantive way?

Prof. Linney said she would need to check with General Counsel on that point. Prof. Roche is correct that when personal bias is alleged, the case returns to the CAP and is begun anew; but, for cases involving allegations of sex discrimination, the procedure has been different.

Prof. Roche said his point is that the procedures specified in cases alleging personal bias appear to him to be better. He thinks it odd to have exactly the same file come to the Provost's Advisory Committee without the case having been prepared anew without the taint of discrimination.

Prof. Linney responded that it is her experience that cases alleging sex discrimination differ a bit from those alleging personal bias. In sex discrimination cases, the discrimination may have taken the form of differential course assignments or differential allocation of space, resources, etc. Remanding a case to the CAP will not necessarily remedy those problems.

A member said she believes General Counsel has indicated that it is not possible to make a substantive change to Appendix A without going back to court, which they deem not advisable. The two modifications before the Council today are not substantive changes; rather, they are a clarification of existing procedures.

Prof. Cosimano said he has a concern about the date chosen—April 1—for Subsection (f). Such a late date may be problematic if the faculty member is on the job market for the fall.

Prof. Linney said that, frequently, she must deal with questions from faculty members who have difficulties with similar issues of timing. The problem is that the appeals are not normally filed until October, and there is then time necessary for the process to play out. There is usually every effort made to complete the review as quickly as possible. The April 1 date is intended to be an outside limit.

Prof. Cosimano asked why the appeals are not usually filed until October.

Prof. Linney read from Subsection (b) of the Appendix: "...the petitioner may, no later than 60 days (excluding June, July and August) after notification of the original adverse decision...submit a petition to the provost requesting review..." Typically, the tenure and promotion decisions are communicated to the candidates around the first of May. With the summer months excluded—because faculty members are not frequently available to conduct a review—any appeals would normally be filed in September or October.

Fr. Jenkins then called for a vote on the proposed changes to subsections (e) and (f) of Appendix A. They passed unanimously.

(b) Deans' search and review committees:

Fr. Jenkins next turned to the second group

of changes—those dealing with the composition of deans' search and review committees in sections 3 through 6 of Article II of the *Academic Articles*.

Prof. Burish explained that the current *Articles* specify that when a dean is to be appointed or reviewed, five faculty members are elected by the college to serve on the nomination or review committee. (In the schools of architecture and law, all regular faculty members may serve as the committee.) He has recommended amendments, which the Executive Committee has endorsed, to add a few sentences to the relevant *Academic Articles* provisions.

The first proposed addition is: "The provost may appoint up to two additional members from among the regular faculty to the committee in order to ensure that a broad range of views and perspectives is represented on the committee." While the language of the second amendment differs a bit in the sections dealing with the University's various colleges, the point is the same in all cases: for the provost to have the ability to appoint an associate provost to serve as a nonvoting member of either a search or review committee, and, for a review committee, for the provost to appoint the chair.

Prof. Burish explained the rationale of the first proposed amendment is to allow the provost to make a search or review committee more representative when the normal election process does not result in balanced representation. He said that a good example of its desirability is provided by the search now underway for a new dean of engineering. There are five departments in engineering. Each department elected one person to the committee—as it turned out, all white males. Prof. Burish said that all members of the search committee are excellent people—and their qualifications are not at issue. Still, he would have liked to have had a woman or person of color on the committee; yet, the *Articles* do not allow him to appoint additional members. With the proposed amendment, he would have an opportunity to appoint additional members to make search and review committees more representative.

Prof. Burish continued that the proposed change would also provide him with an option to appoint someone from outside the college—for example, a faculty member

who interacts with the college by way of interdisciplinary programs—to search or review committees. In addition, from time to time, it would be helpful to have another dean on a committee. It has been his experience that during a dean search, candidates frequently have many questions about the nature of the position—for example, how budgets are structured, how faculty is hired, etc.—that are best addressed by a current dean. The *Articles* simply do not allow a dean to serve in the search committee, and it is very unlikely that a college's faculty would elect someone from outside their number to be one of five search or review committee members.

Finally, Prof. Burish explained, the proposed amendments give the provost the authority to appoint a chair of deans' review committees. The current *Articles* are silent on this point. The proposal also codifies current University practice in that an associate provost is often asked to staff committees as a non-voting member. Prof. Linney, for example, is doing just that for the engineering search. This procedure gives the committee important organizational help. The provost's office has secretarial support to schedule meetings and to generally keep the search or review process on track.

Prof. Brown asked for the rationale in having the provost appoint the chair, rather than having members of the committee elect a chair themselves.

Prof. Burish said that while either method is possible, the advantage of the provost appointing the chair is that, at times, certain individuals might be excellent committee members but, for various reasons that the faculty may not know of, he or she might not be the best person to serve as chair.

Prof. D'Angelo said that while she finds the idea of appointing someone to increase diversity by gender or ethnicity—or to provide an interdisciplinary perspective—to be a positive move, she would like to see that intention embodied in the document.

Prof. Burish agreed that he could do so, and some discussion ensued about the correct way to accomplish that.

Prof. O'Hara stated that she liked the language "broad range of views and perspectives." The examples Prof. Burish cited are good ones, she said, but she can imagine considerations of balance that might not

be tied to gender or ethnicity. For instance, perhaps the provost would like to see a junior member on a search or review committee or to include faculty members with a variety of perspectives on a certain issue. The phrase "broad range of views and perspectives" allows the provost flexibility to cover a variety of situations when the goal is to achieve an appropriate cross-section on the committee.

Prof. Burish said he agreed. For example, in the current dean of engineering search, if all the committee members had been elected from the same department, he may have wanted to appoint members to the committee to represent other departments as well. The language he is attempting to construct could include a phrase such as "for example" or "reasons might include." The language should not be restrictive; rather, it should be suggestive of possible rationales.

Prof. Roche said that he supports the idea of flexible or open-ended language for the provision. He can imagine scenarios other than those in which gender or ethnicity is at issue. For example, in Arts and Letters, the college council conducts the election for search or review committees. It would be entirely possible not only to have, as occurred in engineering, no women on the committee, but for there not to be a representative from one of the college's three major divisions—arts, humanities, or social sciences.

Prof. Roche also said that when he appoints the members of committees in Arts and Letters seeking a departmental chairperson from outside the University, routinely, he does something analogous to what Prof. Burish has suggested with deans. Because they offer such a unique and valuable perspective, in every case, he has either a sitting chairperson or a former chairperson from another department serve on the committee. and, he could imagine that in the search for a dean as well, while there might be good representation of gender, ethnicity, and disciplines on a committee, it might be advantageous to appoint a departmental chairperson to serve as well. The chairpersons work very closely with the deans and have a good perspective on what a college requires.

Prof. Roche concluded by saying that his point is that any effort to construct language to be inclusive of the variety of situations in which broad representation would be favorable is likely to result in a very long list. If there is a concern that appointment along these lines might be arbitrary or that the possible reasons for the appointment power might be lost over time, then examples should be included in the *Articles*. If those concerns are not present, he would prefer to leave the language as is.

Prof. D'Angelo said her concern is limiting the reasons for which appointed members are added to elected committees. There have been many moves at the University towards more appointments and less faculty governance.

Prof. Burish asked if Prof. D'Angelo would propose language for a Council vote.

Prof. D'Angelo offered that another way the provost's concern could be addressed is in the instructions to faculty when search or review committees are elected—for example, in the college council. As to the current proposal, she thinks the appointment power should be exercised in unusual cases, such as the diversity example with which Prof. Burish began the discussion.

Prof. Burish said he feared that enumerating examples of diversity would make the list too lengthy.

After more discussion of correct parliamentary procedure, Prof. Moevs said that he believes that a "for example" clause, with even a few situations given, would guarantee that the spirit of the rule would be understood in the future.

Prof. Burish said he would take Prof. Moevs' suggestion as a friendly amendment. That language is not restrictive in any way.

Profs. Roche and DeBoer then constructed a phrase to add to the proposed language: "This might include balancing the committee by gender or discipline or adding administrative experience to the committee."

Prof. Robinson said that he would suggest to Prof. Burish that he "be unfriendly" to the proposed friendly amendment. He fears that the *Academic Articles* could be becoming more and more "a cookbook." He advocates proceeding with the level of generality

that was captured quite appropriately in the initial language.

Prof. Moevs said he understood Prof. Robinson's point and would withdraw his friendly amendment.

Prof. Preacher noted that there is beginning to be much piecemeal rewriting of the *Academic Articles* and the *Academic Code*. She would like to reiterate her plea of last year for the provost to convene an ad hoc committee to review both the *Articles* and the *Code*. She works with both on a daily basis and finds that current practice and language are frequently at odds.

Prof. Burish then said that because both architecture and law are unique in that the entire faculty can serve as the committee or, as has occurred in the past, the faculty can vote to convene a smaller committee, he wants to make sure that it is understood that the appointment powers extended to the provost in the proposed amendments apply in either situation—whether an entire faculty committee or a smaller subset.

Profs. Lykoudis and O'Hara said they believed that was clear in the language Prof. Burish proposed originally.

Fr. Jenkins then called for a vote on the amendments as originally presented:

"The provost may appoint up to two additional members from among the regular faculty to the committee in order to ensure that a broad range of views and perspectives is represented on the committee." and [this example given from Section 5.1, Architecture]: "The provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member."

With two opposed and one abstention, the amendments passed.

Prof. Roche then stated that he, too, advocates formation of an ad hoc committee to review the *Academic Articles* and the *Academic Code*. The *Articles* have not been reviewed in at least ten years. A committee was working on the task under former vice president and associate provost Carol Ann Mooney, but with last year being a year of transition in the provost's office, the effort did not advance. For the Mooney committee, though, his office put together about two or three pages of contradictions and inconsistencies in the

Articles, and that document could be passed on to a new committee.

Prof. Roche added that some universities have a standing "rules committee" in their Faculty Senate or equivalent of the Academic Council. Given that there are more Academic Council members than committee slots, he recommends that next year, along with the three standard committees, the Council establish a rules committee. Its members would collect inconsistencies in the *Articles*, as well as passages that are difficult to interpret and decipher, and then propose language that is simpler and more consistent. That would be a very useful and necessary service for the University community.

3. Registrar request regarding the Academic Calendar: Harold Pace, University Registrar, provided background on an academic calendar proposal: The Academic Council passed the Perpetual Academic Calendar in February 1993. The perpetual calendar rules state that the first class day for the fall semester is the fourth Tuesday in August, which can fall from August 22 through August 28. A discussion occurred at the time the calendar was in development about the years in which August 28 was the first class day. Given class days, reading days, and time for grading exams, grades would be due those years on December 24—one day before Christmas. It was agreed that in those years (2001, 2007, 2012, and 2018), the end of the semester would be adjusted by reducing the number of reading days from four to three.

In April 1998, as the first application of the adjustment approached, the Office of the Registrar asked the Academic Council to consider a solution for the 2001 Fall calendar that would have the first class day occur on the third Tuesday of the month (August 21) rather than the fourth (August 28). Students advanced the proposal because late exams required many of them to fly home during peak holiday travel time, when tickets are most expensive. Yet, the 1998 Academic Council rejected the proposal primarily because of faculty concerns with conflicts with academic conferences that occur in mid-August and because it shortened the summer research period to thirteen weeks. As a compromise, for Fall 2001, the Academic Council maintained the late start date but:

- reduced the number of class days from 70 to 69;
- reduced the reading period from four to three days; and
- scheduled final exams on Friday, Saturday, Monday, Tuesday, and Wednesday rather than the normal Monday through Friday schedule.

Grades were then due on Saturday, December 22.

Dr. Pace said that with 2007 presenting the same difficulties as 2001, once again, the Office of the Registrar is proposing that when, by rule, the first class day would occur on August 28, the semester begin instead on the third Tuesday in August—August 21. He said that there are several advantages to the proposal:

- final exams would end on December 14 rather than December 19;
- students would retain four reading days;
- faculty would retain 70 class days rather than 69;
- final exams would remain on the traditional Monday-Friday schedule; and
- faculty final grade submission deadline would be Monday, December 17, rather than Saturday, December 22.

Prof. DeBoer offered his support to the proposal. He pointed out that first-year students will take their first set of university exams in the Fall 2007 semester. This proposal neatens the division between reading days and a full week of exams, and provides an earlier exit from campus. While upper-class students may have their own perspectives on the proposal, it is to the benefit of first-year students.

Prof. Maziar said that one of the concerns about this year's calendar she heard in the provost's office—from both faculty members and parents—was the long break between the fall and spring semesters. She asked how the proposal would impact the length of the semester break.

Dr. Pace said that it would be the same as this year: four weeks. He added that there is always debate about breaks between terms and in the summer. When spring commencement falls on May 21 and the

fall semester begins on August 22, there is the shortest possible summer break of 13 weeks.

Prof. O'Hara asked how many years in the calendar would result in a short summer break.

Dr. Pace said the calendar would be so affected in 2007, 2012, 2018, and 2029.

Prof. O'Hara said her concern is that except for leap years, the existing seven-year calendar distributes a number of pluses and minuses to faculty and students—depending on which stakeholder one is considering. One ramification of the change Dr. Pace is proposing relates to the shorter summer—13 weeks rather than the normal 14-week schedule. A short summer break can impact students' summer earning ability. While, Prof. O'Hara said, there is a little messiness to the current calendar, one advantage is the way it distributes the trade-offs among seven years. There are a few four-week Christmas breaks and a few 13-week summers in any seven-year cycle. She wonders, though, if the current proposal redistributes those trade-offs all in one direction. She recalls having this discussion when the proposal was presented in 1998. While the proposal definitely has simplicity, there are other ramifications to consider.

Dr. Pace responded that there are difficulties in years other than those in which the start of the semester occurs on August 28. An August 27 start date results in grades due on December 23—also difficult administratively because faculty and deans must be present until just before Christmas. Yet, it is the students who are the main concern when the calendar is considered.

Prof. O'Hara asked Dr. Pace to clarify how frequently a start date of August 28th occurs in any calendar cycle.

Dr. Pace responded that this situation would occur only four times in the next 25 years: 2007, 2012, 2018, and 2029.

Prof. Roche said that the proposal advanced today was rejected in 2001 primarily due to stated conflicts with academic conferences occurring in August. He remembers the meeting in which the proposal was discussed as very long. Did Dr. Pace look at the minutes from the April 1998 meeting to see what arguments were presented at that time and whether there were any the

Council has not considered today? Prof. Roche said that in particular, he remembers that Prof. Kolman, then the dean of the first year of studies, had very strong opinions on the matter.

Dr. Pace said that he and others in the registrar's office did review those minutes. In addition to Prof. Kolman's views and the concern about academic conferences overseas in mid-August, Student Affairs expressed concern with an earlier start to the fall semester requiring resident advisors to return very early in August—perhaps as early as August 17.

Prof. Woo noted that masters' programs in the Mendoza College of Business have a two-week orientation. If the proposal passes, she must make sure that accommodations will be available for those students quite early in August.

Dr. Pace noted that just because we are discussing increments of only one day, from one academic year to another, other years also have an early start date. This coming fall semester, for example, begins on August 22.

Prof. Preacher pointed out that another concern with late grade submission is the extreme difficulty it creates for students who may not end the semester cleanly. Frequently, deans' offices must chase down many faculty members who do not submit their grades on time or whose grades do not come through properly. Finding faculty on December 24 is nearly impossible. Then, if grades are not recorded properly, problems surface at the beginning of the spring semester, when students are beginning to send their transcripts out to professional and graduate schools. Moreover, when the semester ends late in December, problems are created for students in academic trouble. Deans' offices cannot make decisions on dismissal without accurate grades. Thus, unfortunately, students can return to campus without knowing that they will be dismissed that term. Her point is that pushing the end of the term so close to Christmas has real disadvantages for students.

Fr. Poorman noted that in terms of assembling the hall staffs, an early start to the semester is less of an issue with resident advisors or rectors than with assistant rectors, who are generally law students. He asked if

there is any standard internship length for summer law students.

Prof. O'Hara said that while there is no standard length, her point is that losing even a week of employment in the summer can have a substantial impact on law students, whose summer earnings help with rising tuition. As she noted earlier, in any seven-year cycle, there is an even distribution of some 13-week summers and some 14-week summers. This proposal removes four 14-week summers out of the coming 20-year cycle. and, in some years, assistant rectors would have only a 12-week summer.

Prof. Roche said that he has just had a chance to review very quickly the minutes of the April 1998 Academic Council meeting when the proposal was raised for the first time. It was the dean of the College of Science, Prof. Castellino, who raised the concern about mid-August academic conferences and faculty attending them missing the start of the semester. He is not sure if that concern exists today. If not, he is very much in favor of the proposal.

Prof. Brown asked Dr. Pace if he sought a permanent or an ad hoc solution.

Dr. Pace replied that the point was to have a permanent solution to years in which the calendar would dictate an August 28 start date.

Prof. Brown clarified: Effectively, the proposal would change the language from the fourth Tuesday in August, August 22 through August 28, to whatever Tuesday falls in the range of August 21 through August 27.

Dr. Pace answered that he was correct.

Fr. Jenkins then called for a vote on the proposal to amend the academic calendar in years in which the fourth Tuesday falls on August 28.

The proposal passed, with one "no" vote and one abstention.

4. Committee reports:

(a) Faculty Affairs: Prof. Robinson, chair, reported that the committee met to consider amending Article III, Section 2 of the *Academic Articles*, which relates to academic freedom and associated responsibilities. Members deliberated two separate questions: (1) Should there be an explicit reference to artistic expression in the *Articles*?

and (2) Should there be a specific reference to student expression in the *Articles*?

On both counts, he said, members decided in the negative. The consensus was that the current language of the *Articles* is sufficient to cover faculty members' freedom of expression. As for students' right to expression, *du Lac* contains extensive language on this point, and members did not feel competent, he said, to suggest how the *Academic Articles* might cover the same ground.

Prof. Robinson added that the committee met as well to consider a proposal related to TCEs and the evaluation of teaching by the Advisory Committee to the Provost on the Evaluation of Teaching (ACPET). He will send a summary of that meeting to Vice President and Associate Provost Dennis Jacobs.

(b) Undergraduate affairs: Prof. Preacher, chair, reported that the committee will have several agenda items at the next meeting for consideration by the Council. The items concern a proposal to better inform students about courses at the time of course selection, Advanced Placement credit, and changes in course numbering rubrics.

(c) Graduate Students: Prof. Kantor reported that at the last meeting of the Graduate Council, members forwarded a proposal for a new interdisciplinary program, a Ph.D. in bio-engineering, to the Executive Committee. It will come to the Council for its consideration as well. Members also forwarded a resolution on maintaining the confidentiality of the written portion of TCE's in small graduate classes.

There being no further business, Fr. Jenkins adjourned the meeting at 4:30 pm.

Respectfully submitted,

Faculty Board on Athletics University of Notre Dame

Meeting of March 22, 2006
Fifth Floor Conference Room,
Main Building

Members present: Prof. Fernand Dutille (Chair); Prof. Patricia Bellia; Prof. Eileen Botting; Mr. Bobby Brown; Prof. Francis Castellino; Prof. Stephen Fallon; Mr. Patrick Holmes; Prof. David Kirkner; (Rev.) Mark

Poorman, C.S.C.; Prof. Donald Pope-Davis; Prof. F. Clark Power; Dr. Frances Shavers; Prof. John Weber; and Dr. Kevin White.

Member absent: Prof. Harvey Bender.

Observers present: Ms. Missy Conboy, Mr. Michael Karwoski, and Mr. Stan Wilcox of the Department of Athletics; and Ms. Kitty Hoyer, recorder.

Guest present: (Rev.) John I. Jenkins, C.S.C.

1. Call to order and prayer: The Chair called the group to order at 3:05 p.m.; Father Poorman led the group in prayer.

2. Minutes of previous meeting: Prof. Kirkner moved, with Prof. Weber providing a second, that the minutes for the meeting of February 6, 2006, be approved. A unanimous vote ensued.

3. Announcements: The Chair announced that he had approved, on the Board's behalf, the schedule for volleyball (Spring 2006), women's soccer (Spring 2006), and men's soccer (Fall 2006). He also approved amendments to the schedules for women's soccer (substituting Wednesday, October 11, 2006, for Friday, October 13, 2006). This change kept the schedule within University guidelines.

The Chair also approved current-year captaincies for baseball (Greg Lopez and Tom Thornton); and an additional captain for women's fencing (Rachel Cota). All of these student-athletes met University guidelines for serving as captain: approval by the Office of Student Affairs and a grade-point average above 2.3. At this point, the Board ratified the Chair's decisions.

4. New Chair of Faculty Board and NCAA Faculty Athletics Representative: [The University's *Academic Articles* limit service as Chair of the Faculty Board on Athletics and as NCAA Faculty Athletics Representative to two three-year terms. Prof. Dutille, who has held these positions for the last six academic years, will leave them on June 30.] At this point, University president Father John Jenkins addressed the Board. He began by thanking the current Chair of the Faculty Board for his "extraordinary dedication and service." Father Jenkins stated that he and Ms. Frances Shavers, his executive assistant, have consulted with many members of the faculty and staff, including members of the Faculty Board on Athletics,

with regard to choosing a successor. After long deliberation, Father Jenkins has asked Prof. Donald Pope-Davis, associate vice-president and associate dean for graduate studies, and professor of psychology, to assume the positions of Chair of the Faculty Board on Athletics and NCAA Faculty Athletics Representative. Prof. Pope-Davis has accepted that invitation. Father Jenkins stressed the large number of important committees, including the Faculty Board on Athletics, on which Prof. Pope-Davis has served. Prof. Pope-Davis understands well, Father Jenkins said, the many issues involved in chairing the Faculty Board. Father Jenkins pledged his total support of Prof. Pope-Davis in these new roles. For his part, the current Chair expressed his commitment to full cooperation in connection with the transition. In response to a question from Prof. Weber, Father Jenkins noted that the proposal of the Faculty Board to eliminate the six-year term limit on service as Chair and "faculty rep" is now working its way through appropriate channels.

5. Byron V. Kanaley Awards: Prof. Weber, for both the subcommittee on student welfare and the subcommittee on academic integrity, reported that those two groups had met, along with the Chair of the Board, three times to consider nominations for the Byron V. Kanaley Award. That award, named for a 1904 graduate of the University, goes to "senior monogram winners deemed most exemplary as student-athletes and as leaders." Head coaches make the nominations from their respective team rosters. More than one award may be given annually. In recent years, the number of awards has risen, attributable largely to the greater number of varsity teams, and therefore of student-athletes, now at Notre Dame. Prof. Weber noted that the formal criteria have evolved as they have been applied through the years. Currently, the Board seems to seek outstanding academic credentials and outstanding athletics credentials; a sliding scale will not do. Prof. Weber noted that "intangibles," such as the student-athlete's particular college and major, and service activities play a role. Further, he stressed the importance of recognizing that the average student at Notre Dame boasts a cumulative GPA close to the 3.4 level. The subcommittees gave significantly less consideration to student-athletes with GPAs below that of the

average student. The subcommittees also looked to the supporting statement of the head coach and to whether and, if so, how long the student-athlete served as a team captain. Assessment of athletics accomplishment took into account conference and national honors and in some cases international participation. That said, Prof. Weber moved, on behalf of the two subcommittees, that Byron V. Kanaley awards go to: Lauren Connelly (women's tennis); Megan Duffy (women's basketball); Stephanie Madia (track and cross country); Annie Schefter (women's soccer); and Tom Thornton (baseball). Prof. Weber stated that the recommendation of five winners in no way reflected an intent to dilute the award's prestige; all five really deserve it, he stressed. Indeed, the grade-point averages of this year's group are still better than those of last year's. In response to a question by Prof. Castellino, the Chair observed that the non-successful candidates are not made aware of their nomination, at least not by the Faculty Board. Prof. Castellino: Can professors nominate for this award? No, the Chair responded; the process calls for head coaches, who presumably best know the various qualities of the student-athletes under their tutelage, to make the nominations. That process could be changed, of course. Prof. Weber noted that 147 student-athletes have grade-point averages above the mean; yet for some reason some coaches make no nomination. Prof. Castellino lamented the unwillingness of a few coaches to make nominations; after all, it is the student-athlete who loses out. The only possible "downside" for the coach is that the nomination might not be successful. Ms. Conboy said that administrators in the Department of Athletics could perhaps do a better job of ferreting out nominations. Father Poorman worried that the Board might be setting a specific GPA as a "cutoff" or operative disqualifier. If that's the case, he continued, we need to be prepared to defend it. Prof. Weber responded that use of the GPA should not be seen as such; we have to start somewhere and the award calls for outstanding performance. The Chair stated that he sees the importance of looking at the mean grade-point average for students generally as disabusing everyone of the mythology that 3.0 is a good academic record. That may have been true forty years ago; it just isn't true

anymore. After all, nowadays even a student with a 3.3 GPA is below average. We need to focus on that and help others to focus on that, as well. Ms. Conboy suggested that perhaps the amount of time required by the particular sport should be considered; some sports demand a much larger time commitment than others. After a brief discussion of other nominees, the Board voted unanimously to approve the five student-athletes recommended in Prof. Weber's report.

After the vote, several Board members suggested that the criteria for the Kanaley Award be reviewed. The Chair agreed that this should be done. He added that the requirement that recipients of the award be seniors should also be revisited. That requirement, the Chair speculated, must have stemmed from a desire to avoid multiple awards over the career of a single student-athlete. But there seems no reason for which a student-athlete should not be eligible for the award during a fifth year of athletics participation, a concept not in vogue when the award got established. This change would help especially in years in which a team has two excellent candidates, both seniors. (In one such case recently, the Board did waive the requirement).

6. Statement of trustees' responsibilities concerning intercollegiate athletics: Reporting for the subcommittee on communication, Prof. Power informed the Faculty Board that the president's office is currently pursuing this topic with the Board of Trustees. The better approach for the Faculty Board, then, seems clearly to await the results of this endeavor before considering any further action.

7. Petition for relief from nine-credit requirement: [Note: For privacy reasons, discussion of some of the specifics relating to this situation are omitted from these public minutes]. The Board next addressed the petition of a student-athlete for prospective relief from the University requirement that fifth-year student-athletes carry at least nine academic credits per semester. [Since no grant-in-aid is involved in this case, a nine-credit load would require the student-athlete to pay full tuition. Loads of under nine hours allow a per-credit payment.] Although initially the Chair had put the petition to the Board for a listserv vote, the requisite number of Board members had

asked for a full Board discussion. Providing the historical context for the discussion, the Chair reminded the Board that since the wholesale revision of the provisions governing the fifth year of eligibility, the Board had approved a waiver of the nine-credit rule on two similar occasions, once in 2002 and once in 2004. Prof. Fallon: Is the student-athlete eligible to graduate this semester? Mr. Wilcox; Yes. Of course, he could drop one of his required courses this semester and, under NCAA rules—unlike under Notre Dame's more stringent rules, return to take only that course in the Fall. Asked to proffer his views on the issue, Dr. White observed that the Board had to ask itself whether the case had the unique circumstances justifying a waiver; for his part, he supported the petition. Prof. Kirkner moved that the student-athlete be allowed to take as few as three credits during the fall 2006 semester. Prof. Botting seconded that motion. Prof. Castellino spoke against the motion, calling that light a commitment a "vacation" of sorts. We would, he argued, be making too large a concession. Father Poorman agreed: That would be shifting from our premise that one is a student first and an athlete second; it would put the athletics status first. The motion, attracting just four votes, was defeated. Prof. Kirkner then moved that the student-athlete be allowed to carry as few as six credits during the fall 2006 semester. Father Poorman seconded. The motion carried unanimously.

8. Prior registration: Mr. Wilcox reported that Associate Provost Christine Maziar has assembled a committee to address the issue of prior registration for student-athletes. That discussion will include the whole range of issues implicated, including Title IX. Two Faculty Board members will join that discussion.

At this point Father Poorman asked whether the possibility of prior registration for fifth-year student-athletes could be addressed. [The NCAA (and Notre Dame) allow student-athletes a five-year window within which to complete no more than four years of actual competition. Notre Dame's policy requires student-athletes intending to compete during a fifth year to secure approval of their academic plan from the Faculty Board on Athletics. The Board has for several years emphasized its commitment to the concept of "academic

engagement” for these student-athletes; athletes here should also be genuine students. To this end, any fifth-year student athlete, to be entitled to compete for Notre Dame, must enroll for at least nine hours of academic credit. Fifth-year student-athletes who are either completing their undergraduate degree or enrolled in a graduate/professional-degree program already have adequate priorities in garnering the appropriate courses. The remaining fifth-year student-athletes, however, must register as “unclassified graduate students,” a category which wields virtually no priority whatever. Such student-athletes have had tremendous difficulty not only in securing the courses set out in the academic plan presented to the Faculty Board, but also in securing, as a “fallback,” any arrangement of courses that promotes the Board’s objective of coherent academic engagement.] Father Poorman asked the Chair to pursue with the Provost’s Office the possibility of implementing prior registration for these student-athletes for the Fall 2006 semester and beyond. The Faculty Board, he observed, has long favored such a policy, but has had difficulty in getting it put in place. The Chair responded that he would address this issue without delay.

9. New Business: Prof. Weber asked whether the Board should take any action with regard to a *South Bend Tribune* report that morning alleging that “eight scholarship [football] players were granted a fifth-year of eligibility.” Actually, the Faculty Board on Athletics had not yet received any petition for a fifth year of eligibility, let alone granted one. The Chair of the Faculty Board did raise the matter with both Mr. John Heisler, senior associate athletics director for media relations, and Mr. Wilcox, who works with the football program. Mr. Wilcox assured the Faculty Board that the information had not come from a University press release. Moreover, he said he would pursue the matter with the appropriate staff. [A correction did appear in a subsequent issue of the *South Bend Tribune*].

10. Adjournment: The Chair adjourned the meeting at 4:05 p.m.

University Committee on Women Faculty and Student University of Notre Dame

Meeting of March 27, 2006

Members present: Susan Blum (chair), Patricia Bellia, Alexandre Chapeaux, Liz Dube, Sallie Hood, Mary Ann McDowell, Kevin Misiewicz, Zach Ortiz, Salma Sad-dawi, Gina Shropshire

Members absent: Doris Bergen, Renee D’Aoust, Patrick Gaffney, C.S.C., Mary Louise Gude, C.S.C., Jean Ann Linney, Agnes Ostafin, Kaity Redfield

Guests present: Jill Bodensteiner, Associate Vice President and Counsel; Jannifer Crittendon, Director, Office of Institutional Equity; Ava Preacher, Assistant Dean, College of Arts and Letters and Victim’s Resource Person; Heather Rakoczy, Director, Gender Relations Center

Observers present: Mary Hendriksen, Office of the Provost, reporter

Prof. Blum, chair of the University Committee on Women Faculty and Students, called the meeting to order at 12:05 p.m.

1. Minutes of the meeting of 2005: The minutes of the meeting of February 22, 2006, were approved without change.

2. Discussion with Ava Preacher, the University’s Victim’s Resource Person: Ava Preacher, assistant dean of undergraduate studies in Arts and Letters and, since 2001, the resource person for victims of sexual assault at the University, joined the Committee today to explain her role and to answer questions on sexual assault at Notre Dame.

First, Prof. Preacher explained, she is not a counselor or a therapist. As the University’s Victim’s Resource Person, her role is to provide information to students who have been sexually assaulted. Thus, she informs victims of the processes, procedures and policies that apply when a sexual assault is reported to the University; makes referrals as appropriate; furnishes materials on support services on and off campus; and provides information on civil and criminal investigation and adjudication processes. Day to day, she works as well on several committees and with Residence Life to

decrease the incidence of sexual assault on campus.

Prof. Preacher clarified that in the last few years, she has seen no victims of sexual assault perpetrated by outsiders to campus. She said that Notre Dame students have been perpetrators of assault on the Saint Mary’s campus, but most Notre Dame cases she sees involve Notre Dame students as both victim and assailant.

Prof. Preacher said that she thinks the processes in place to address sexual assault at the University are good. Every single case on which she has worked, however, is related to alcohol. There is a massive alcohol problem on campus. If that aspect of the Notre Dame culture can change, then the number of sexual assault cases may be reduced dramatically.

Prof. Preacher noted that many times, students have difficulty distinguishing sexual assault from behavior that is more accurately described as “regretted sexual activity”—again, with alcohol the universal underlying problem.

In response to questions on the actual number of sexual assaults occurring on campus, Prof. Preacher said that official numbers, maintained by Notre Dame Security, are zero to two every year. Of course, as is true at any college campus, the number of unreported incidents is far greater.

In an effort to reach a better understanding of the scope of the problem on campus, members discussed why the number of incidents reported to the Counseling Center cannot be revealed publicly. One member asked whether the decision on the part of the Center not to reveal even raw numbers has been reviewed by University counsel, or if it is a result of the center’s own interpretation of the Family Educational Rights and Privacy Act (FERPA).

Prof. Preacher observed that when assaults are reported, the fall-out can be intense on campus. She has seen deep divisions develop between friends of the victim and the alleged perpetrator. Knowledge of this scenario makes it difficult for victims to choose to come forward.

Committee members endorsed a proposal that information on how to prevent and report both sexual harassment and sexual assault be presented to new faculty at the

annual new faculty orientation.

3. Letter to Fr. Jenkins on academic freedom: Committee members approved the text of a letter to University President John I. Jenkins, C.S.C. regarding his address in January on academic freedom to the University community. See Appendix A.

4. Spousal hiring: Prof. Blum said that three out of four women faculty members have left her department, Anthropology, in the last three years because of failure of a spouse to secure a satisfactory position on or near Notre Dame's campus. She said that the situation in her department and others shows the importance of reviving the topic of spousal hiring with University administrators.

Prof. Blum distributed print-outs of three universities' spousal/partner hiring initiatives. See:

University of Michigan: <http://www.provost.umich.edu/programs/pfip.html>

University of Minnesota: <http://www1.umn.edu/ohr/toolkit/hiring/academic/guidelines/appendixc/spousal.html>

University of Wisconsin: <http://www.provost.wisc.edu/hiring/spousal.html>

She said that several other universities have similar programs in place. A common strategy is for the "trailing spouse" to be offered a position that is funded one-third by the original hiring department, one-third by the "trailing spouse's" hiring department, and one-third by the provost's office. When more funds become available within Notre Dame's provost's office, she would propose that a similar arrangement be instituted at Notre Dame.

There being no further business, Prof. Blum adjourned the meeting at 1:30 p.m.

Appendix: Letter to Fr. Jenkins regarding academic freedom:

March 30, 2006

Fr. John I. Jenkins, C.S.C.
President
University of Notre Dame
400 Main Building
Notre Dame, Indiana 46556

Dear Fr. Jenkins:

The University Committee on Women Faculty and Students (UCWFS) serves as an advisory group to the president on issues pertaining to women faculty and students. Following your address to the faculty and students, we would like to present some thoughts concerning women's issues at Notre Dame. Please note that these remarks do not represent the views of every member of the UCWFS.

Fr. Jenkins, in your address to the faculty, you outlined some positive reasons to present and discuss *Vagina Monologues* on campus. The monologues present positive views of women's bodies, their self-image, and their identity. The primary theme of the play is to stop violence against women. You emphasized your support for women in this message; "The most urgent and laudable goal of all is the elimination of violence against women, which I personally and this university as a whole unequivocally support." Presenting the *Vagina Monologues* on campus can be seen as tangible evidence of the University's verbal commitment to addressing violence against women and women's issues.

You also discussed the problematic nature of supporting this play at Notre Dame. The content of the *Vagina Monologues*, is graphic, explicit, and contradicts the teachings about sexuality in the Catholic Church; "there is no hint of central elements of Catholic sexual morality." Notre Dame's support of this play would imply an endorsement of beliefs that go against its own fundamental values. Essentially, the *Vagina Monologues* becomes the focal point used to support limitations on academic freedom that must be selectively imposed to protect Notre Dame's Catholic values and identity.

We feel the use of this play as justification for limitations on academic freedom is inappropriate. The *Vagina Monologues* is a

play, objectionable or not, that gives voice to women. Preventing its production could be seen more as a lack of support to women, rather than a proactive move to protect Notre Dame's character. In your address you promised "unequivocal support" for the elimination of violence against women. Silencing the *Vagina Monologues* undermines this pledge from the administration.

Unfortunately, it is the informed belief of many women that using *Vagina Monologues* ostensibly to address academic freedom was a step backward for women at Notre Dame in a climate where women already feel as if they do not have a real voice. Women at Notre Dame struggle daily to be heard. Issues include the lack of women's voices on University committees and in academic administration (particularly at the department chair level); a perception that Notre Dame does not address the issue of sexual assault with sufficient honesty and energy; recruitment and retention of women faculty and graduate students; and the lack of family-friendly policies for faculty and graduate students. Again, a decision to prohibit University support for the *Vagina Monologues*—particularly absent concurrent positive strides related to the climate for women at Notre Dame—will be construed as a major step backward for women.

Future discussions on limitations of academic freedom should be conducted without reference to specific materials—particularly those that are so closely aligned with the voice of women at Notre Dame. The University should not use the *Vagina Monologues* as the rationale; the rationale should be established as university policy before presenting examples of objectionable materials. The larger issues to be examined concern academic freedom and any proposed limitations upon that basic right. There are critical questions that should be addressed as well before any action is taken. Will limitations on academic freedom truly enhance Notre Dame's Catholic identity or will our Catholic identity begin to limit intellectual freedom? Boundaries work both ways; can Notre Dame judiciously build gates? These issues are essential to the future of Notre Dame, not one example of one play. We propose that academic freedom by itself, is sufficient for discussion.

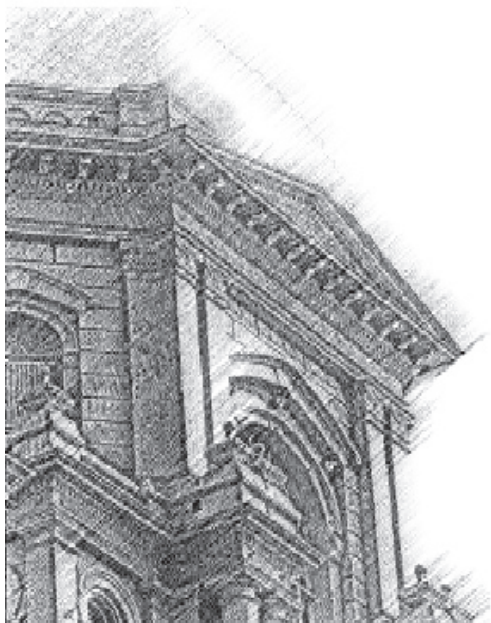
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In our advisory capacity, the UCWFS presents one perspective concerning the use of the *Vagina Monologues* as the vehicle by which academic freedom is measured. All of the members of the UCWFS are committed to making Notre Dame a welcoming and supportive environment for women. We are also committed to Notre Dame and its Catholic mission. Thank you for your consideration.

The University Committee on Women Faculty and Students

March 30, 2006

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