I. Call to Order and Reflection by Dr. William Thorn. The meeting was called to order at 3:04 pm

Members in Attendance: Dr. Albert Abena, Dr. Robert Bishop, Prof. Bruce Boyden, Mr. John Brenner, Prof. Patricia Cervenka, Mr. Joseph Ciccone, Fr. Michael Class, S.J., Dr. James Courtright, Dr. William Cullinan, Dr. Evelyn Donate-Bartfield, Dr. Marilyn Frenn, Dr. Steven Goldzwig, Ms. Ann Hanlon, Mr. John Hefflin, Dr. Jeane Hossenlopp, Dr. Peter Jones, Dr. Christine L. Krueger, Ms. Meghan Ladwig, Dr. Cheryl Maranto, Dr. Daniel Meissner, Dr. Terrence Neumann, Dr. John Pauly, Fr. Philip Rossi, S.J., Dr. Heidi Schweizer, Dr. Guy Simoneau, Dr. James South, Dr. John Su, Dr. Siddhartha Syam, Dr. William Thorn, Dr. Otto Widera, Dr. Joyce Wolburg and Dr. Wanda Zemler-Cizewski

Members Excused: Dr. Lea Acord, Dr. Robert Deahl, Dr. Sarah Knox, Dr. Maureen O’Brien, Dr. Linda Salchenberger, and Dr. John Su

Not in Attendance: Dr. Alexander Drakopoulosz

Guests Present: Mr. Matt Blessing, Dr. Bill Donaldson, Fr. John Fitzgibbons, Dr. Lisa Hanson, Mr. John Jentz, Mr. Dale Kaser, Dr. Linda Lee, Dr. Judith McMullen, Dr. Susan Mountin, and Ms. Mary Pat Pfeil, Ms. Alix Riley

Dr. Krueger welcomed the new MUSG student representative Mr. John Heflin.

II. Approval of December 13, 2010 Minutes

The meeting minutes were approved unanimously.

III. Provost Report- Dr. John Pauly

a. Recent gifts
   - $2 Million from Milwaukee business leader and philanthropist Sheldon Lubar for the creation of the Sheldon B. Lubar Fund for Public Policy
   - Works by Andy Warhol and Roy Lichtenstein are among the 135 pieces of photography and contemporary art valued at $1 million have been donated to the Haggerty Museum of Art thanks to the generosity of three separate donors.
   - Gifts are up more than 11% from last year. Gifts between $50,000 and $1 million are also ahead of last year. Fundraising for Eckstein Hall continues with recent support including gifts of $250,000 and $100,000.

b. Please nominate faculty and staff for service awards. More information is included in today’s News Briefs.

c. Dr. Pauly requested that the Senate consider a motion to suspend class on September 23, 2011, from 11:00 am to 2:00 pm so that faculty and students could attend the formal installation of Fr. Pilarz, S.J. as president.
Motion: The University Academic Senate agrees on behalf of the faculty to set aside three hours for Fr. Pilarz, S.J. inauguration.
The motion was seconded, no discussion.

**Vote:** 26 – Yes 0 – No 1 – Abstention The motion carried

d. After reviewing all salary lines for gender equity issues, there does not appear to be any level of systemic problem with salary lines in the university as there had been ten years ago. Dr. Pauly will discuss salary equity and related issues with the deans and report back to the senate on these discussions later this spring.

e. The latest Faculty Seminar presented by Fr. James Heft, S.M. on challenges facing Catholic universities was very well attended. Dr. Pauly reiterated a statement he had made at that seminar that Mission and Identity was not a gate to keep people out, but an avenue to encourage the search for knowledge. He reaffirmed his support for academic freedom and stated that faculty should not be concerned about restrictions on research topics.

f. University email does not include any guarantee of privacy. The university has the right to retrieve and monitor email, and email content can be forwarded or posted on non-university sites.

g. Questions:
   - Is the University planning any follow-up to the Fr. Heft presentation?
     Yes, but we are still working on how best to proceed.
   - Any update about admissions and/or the budget?
     The first admission letters and scholarship offers were sent this week. The budget is in better shape than last year, but there will be no significant funds available for salaries. Completion of the two-step process for improving TA salaries is a priority.

IV. Summary of the Sanlo Report – Dr. Christopher Miller, Vice President for Student Affairs

Due to the intense response to the Arts & Sciences Dean Search concluded last spring, Dr. Ronni Sanlo was brought to campus to provide an external review of diversity issues and to offer recommendations for improving the situation. She held discussions with, and circulated surveys to, a range of faculty and student representatives, including diversity advocates, the DSA Diversity Committee, GSO, MSUG, staff, faculty and administrators. The report did not provide an executive summary, but following are some of the key issues and recommendations.

1) Students:
   LGBTQ students commented that they experienced a sense of marginalization on campus that leads to isolation and withdrawal. They desired more opportunities for dialogue, improvements in advising for gay students, gender neutral bathrooms and showers, guarantees of identity protection, representation on the Gender Task Force, and an Ombudsman for student concerns.

The Sanlo report recommended: A gay youth suicide prevention program, public dialogue, financial resources for gay organizations and causes, additional training for all dorms and student organization leaders, policies to protect identity of gays who are victimized or bullied, support for LGBTQ organizations, training for teachers and staff.
2) Faculty:
   Faculty members commented that Marquette’s sexist heterosexual culture has created a hostile environment toward LGBTQ faculty that the administration has been reluctant to address.
   Recommendations: Public dialogue, and encouragement of the development of LGBTQ-related courses.

3) Division of Student Affairs
   Students commented that DSA does not provide any training for understanding LGBTQ issues. And generally, LGBTQ students lack confidence in DSA.
   Recommendations: Formation of an LGBTQ taskforce (see also below, 5) Current Initiatives)

4) Administration:
   Faculty continue to remain unclear about what role LGBTQ issues played in the O’Brien case.
   Recommendations: Assurances that a similar situation in hiring will not occur again, and development of a Gender Resource Center.

5) Current Initiatives
   Dr. Miller noted that new initiatives have already been established to promote awareness of LGBTQ issues on campus and to offer assistance to gay students. These include: Respect Life Month, a GSA Liaison, a LGBTQ discussion group, advising and support programs, Program initiatives to teach LGBTQ awareness sessions and films, Pastoral counseling and support.

   Dr. Miller emphasized that DSA is very serious about LGBTQ harassment issues. His office will address accusations without having to establish certifiable evidence.

   Dr. Sanlo’s report is available from either Dr. Chris Miller office or the Office of the Provost.

V. Chair’s report – Dr. Christine Krueger
   a. Dr. Krueger provided the members a handout regarding Transparency and Confidentiality in Shared Governance Processes. The Chair read the statement into the record:

   **UAS Chair’s Report: Transparency and Confidentiality in Shared Governance Processes**
   Many sources of feedback over the past several years have identified timely consultation with faculty in decision making and transparency in UAS business as priorities for improving shared governance. To that end, this year’s UAS has built upon previous practices to enhance communication of UAS and standing committee business to faculty, students and administrators. Actions have included a new UAS website, providing access to UAS agendas, minutes, meeting materials, reports, and other documents, as well as lists of standing committee members and standing committee minutes. In addition, UAS senators and standing committee members have been encouraged to consult with their constituencies and faculty have been invited to communicate their views on upcoming UAS business. These actions have received considerable positive feedback.

   These improvements in timely consultation and transparency are surely to be preserved and enhanced. However, in the past semester, UAS business, including committee motions yet to come before the UAS and emails regarding UAS business, have found their way beyond the Marquette community. These actions have raised serious concerns
among committee members and faculty generally, which have repeatedly been brought to the attention of the UAS officers. It is clear that such actions impede the work of elected and appointed members of shared governance bodies and erode faculty trust in shared governance. Shared governance bodies need opportunity to discuss, research, and consult with constituents about their business before taking public stands. At present, the UAS does not have policies in place governing the dissemination of UAS documents and communications beyond the Marquette community. I am inviting UAS advice on how to address these very legitimate concerns.

Two considerations should be kept in mind. First, as Provost Pauly has indicated, the privacy of email communications cannot be expected. Second, implicit in the practice of limiting website access for many UAS documents to the Marquette community is the sense that they should not be shared beyond the MU community. UPP 1-28 Information Sensitivity Policy, which provides guidelines for sharing and storing physical and electronic information, states that “In general, the employees and functions responsible for creating or for obtaining information are responsible for determining into which classification the information falls, how it should be stored, and under what circumstances it should be disclosed to third parties or to the public.”

With these considerations in mind, I have the following questions for the UAS:

1) Should UAS formulate policy regarding email communication of UAS business? These might include
   • Limiting reproduction of prior email chains
   • Avoiding email as a means of disseminating UAS and committee documents in process
2) Should UAS and standing committees employ Share Point sites limited to appropriate members for disseminating documents in progress?
3) Should UAS provide committees with guidelines for using executive sessions for discussing sensitive topics?
4) Should the UAS have stated policy limiting the sharing of documents and committee communications beyond the Marquette community? For example, should there be a policy regarding sharing information beyond the Marquette community which would apply to both UAS/committee members and guests at UAS/committee meetings?

While no policy could prevent someone who had legitimately accessed UAS and committee documents and communications from disseminating them outside the Marquette community, policy would make explicit the imperative that these documents are intended exclusively for members of the Marquette community. Such policy might also include sanctions against those who violate the policy.

Finally, I wish to emphasize that no policy should aim to impede communication with the Marquette community on which the success of shared governance depends. Nor would it restrict Marquette community access to UAS or committee meetings beyond the current option of executive sessions under appropriate circumstances. Nor would it restrict the right of any member of the Marquette community to discuss publicly posted shared governance minutes in public fora.

In addition to discussion in the UAS, I recommend that CAPI be asked to take up these matters and bring recommendations back to the UAS.

b. Discussion:

1) What motivated you to produce this statement?
   Chair: Emailed information concerning on-going committee deliberations that were considered private were excerpted and posted on a public blog.

2) Are recommendations proposed in this statement binding?
   Provost: Yes. FERPA designs confidentiality that is binding. The UAS has not discussed this issue, but we do need to think about limits of accessibility to our deliberations or access to
information.
Chair: members on other committees are now worried about how they should be conducting their work and deliberations.

3) Similar to WikiLeaks, indiscriminate release of information is not necessarily good for Marquette.

4) The open invitation to attend UAS meetings indicates that UAS information can be shared.
Chair: According to UPP 1-28, it is up to the UAS to decide what information needs what degree of confidentiality. We need to consider a policy that neither impedes access to information by the Marquette community nor impinges on academic freedom.

5) This issue raises red flags for shared governance. What do we mean by “open”? We should err on the side of openness rather than secrecy.

This matter was brought forth after several discussions in committees appeared in public forums. Such a situation negatively impacts the good work conducted by committee members.

Dr. Krueger asked the Senators to consider this issue as a deliberative body.

6) Any information can be manipulated by taking it out of context and publically shared.

7) Suggestion: Committee members cannot forward an email without the sender’s permission. Or, do not use email.

8) The Board of Graduate Studies circulates it’s agenda, implying that meetings are open to faculty. But are the meetings really open?
Vice-Chair: Meetings are open to faculty and administrators, but rarely do visitors attend.

9) In its deliberations of this charge, CAPI needs to consider how to protect privacy and transparency.

10) Leaks can stifle robust discussion, including oral comments. This is a significant issue particularly for untenured faculty.

The motion was made that:

**CAPI take up the matter of confidentiality regarding UAS materials and its subsequent committees.**

The motion was seconded.

**Vote:** 26 – Yes 0 – No 0 – Abstentions  **The motion carried**

VI. Vice Chair’s Report – Dr. Marilyn Frenn
The Vice Chair thanked the senate for keeping the Dick Fotsch notes confidential until accuracy could be better affirmed and the UAS could recommend which information should be posted. Notes have been placed on the UAS website. Next meeting of the Faculty Council will be this week. The group is still discussing possible options for the spring Faculty Forum.

VII. Secretary’s Report – Dr. Daniel Meissner
Electronic materials are almost ready for the elections to be held in mid-February. A new nomination form will be posted on the UAS website within the next week. It is up to all members of the senate to identify potential candidates and encourage them to fill out the nomination form. Or nominate them yourself. The more candidates we have, the more choices on the ballot, the better for shared governance. Again, it’s up to the UAS to make sure that there are candidates for the positions that will be open next year.

Dr. Krueger thanked Dr. Meissner for the great improvement in the election process and encouraged the senators to make personal contact to ensure a full ballot for elections.
VIII. Other business

   a. Motion on Dissolution of the Financial Aid Committee
      The UAS recommendations have been incorporated to the changes proposed to the bylaws. The role for the Financial Aid Committee has been dissolved with the new faculty guidelines.

   b. No discussion
      **Vote:** 27 – Yes 0 – No 0 – Abstentions **The motion carried**

   c. CAPI presented a resolution requesting policy issues related to UAS committees be brought to the UAS prior to administrative decisions. The provost should consult with the UAS on these policy issues as a part of the decision making process.

   d. Discussion
      1) If such procedural matters are already part of the university culture, this resolution may have no significant effect...
      Provost: It is not always clear on what is and what is not a policy. He will continue to think about what faculty may be interested in reviewing and commenting on the future in the spirit of shared governance. The Provost supports the resolution in the spirit the resolution was presented.
      **Vote:** 24 – Yes 1 – No 2 – Abstentions **The motion carried**

2. Committee on Faculty Welfare – Prof Judith McMullen/Mr. Matt Blessing
   a. CFW Response to Fr. John Fitzgibbon’s Report
      Mr. Blessing noted that the committee’s response will be posted on the UAS website. It was based on the responses from the nine members of the committee and from 15-20 responses from other faculty.

      Dr. McMullen stated that Fr. Fitzgibbon’s report was an insightful and valuable document. It identified one of the key issues facing the Marquette community – is the university a research or teaching institution? The current ambiguity regarding this issue has led to faculty frustration, driven by concerns about prioritization. The Provost noted that neither description might fit us distinctly. Should the university be boxed into making a choice?

   b. Discussion
      1) Fr. Fitzgibbons thanked the committee for their work. The report that was given to the Provost included 37 recommendations was just the first stage of his investigation. The recommendations were generated by responses from faculty listening sessions and from practices in peer institutions. The executive summary was shared with the UAS. The next stage is to resume listening sessions to discover faculty priorities among the recommendations, and return to the UAS with this information.
      Chair: That is how shared governance should work. The Provost made a request to the UAS, which sent it to committee, which requested assistance from Administration, which sought faculty input, resulting in a report that was brought back to the UAS.
2) Have those promoted to full professor been asked how they advanced while others have not?
Fr. Fitzgibbons: Yes, but their responses are not included in this report. Part of the problem is that there are no uniform requirements to move from Associate to Full.
Provost: At one time, faculty did not think that Administration wanted more Full Professors, and Administration wondered why there were not more. The research/teaching dichotomy is difficult for every university to rectify. The more important issue, however, is how faculty work is evaluated.

3) Marquette is both a teaching and a research institution, but some faculty are better at one than the other. Advancement, however, is based solely on scholarship.
Provost: Faculty will always be both researchers and teachers. After tenure, there may be room for flexibility, such as teaching over research.

4) Why is Marquette so far behind other institutions in terms of the number of Full Professors? Some sacrifice for the good of the institution, and others put themselves and professional careers before the institution.
Provost: Some institutions make it harder to get tenure, and easier to move to Full.

5) Congratulations to Fr. Fitzgibbons for tackling this problem. Mixed messages in the past have discouraged faculty from pushing toward Full. This report suggests a more systematic, university-wide promotion track.

6) What about service? Should service be more highly regarded and rewarded, or should it be reserved only for Full Professors?

IX. Motion to Adjourn was received at 5:00 pm. It was seconded and the group adjourned.