

Minutes*

Faculty Consultative Committee
Thursday, May 28, 2009
1:15 – 3:30
238A Morrill Hall

Present: Emily Hoover (chair), Gary Balas, Nancy Carpenter, Carol Chomsky, Dan Dahlberg, William Durfee, Janet Fitzakerley, Marti Hope Gonzales, Kathryn Hanna, Caroline Hayes, Judith Martin, Michael Oakes, Martin Sampson, Cathrine Wambach, Becky Yust

Absent: Susan Berry, Shawn Curley, Michael Hancher, Brian Isetts, Nelson Rhodus

Guests: Provost E. Thomas Sullivan; Lynn Zentner (Director of Compliance); Jon Binks (Provost's Office), Greg Brown (Office of the General Counsel)

Other: Assistant Vice President Sharon Reich Paulsen (Provost's Office); Kathryn Stuckert (Office of the President)

[In these minutes: (1) participation in the selection of faculty; (2) discussion with Provost Sullivan (classrooms and budget); (3) compliance and conflict of interest issues; (4) copyright dispute-resolution procedures]

1. Participation in Selection of Faculty

Professor Hoover convened the meeting at 1:20 and turned to Professor Chomsky to raise an issue about selection of faculty.

Professor Chomsky noted for the Committee two policies, Academic Unit Governance (<http://www.fpd.finop.umn.edu/groups/senate/documents/policy/acadgovpol.html>) and Academic Appointments with Teaching Function (http://policy.umn.edu/groups/hr/documents/policy/teaching_pol.cfm). There appears to be a conflict between the two. The latter appears to forbid the participation of anyone other than tenured and tenure-track faculty in the selection of new tenured or tenure-track faculty; the former appears to grant the tenured and tenure-track faculty the authority to decide how others participate in all matters of unit governance (except a vote on recommending tenure) as long as they reserve the right to take back authority they have previously granted. The question is whether the tenured and tenure-track faculty can decide to allow non-tenured/tenure-track faculty to vote on recommending appointments of tenured/tenure-track faculty (but not on whether to recommend tenure). Professor Chomsky said there are arguments on both sides of the issue; her recollection is that the Academic Unit Governance policy allows tenured/tenure-track faculty to vote to allow others to participate in the initial hiring decision, although not on the tenure vote. The Law School is considering allowing its clinical faculty to participate in the decision about hiring faculty because clinical instruction is a significant part of legal education and the clinical instructors a vital part of the Law School. Moreover, their clinical faculty are on continuous appointments (after a probationary period, unless hired laterally with continuous appointment status), are involved in establishing the curriculum, and, in a number of instances, have been at the Law School for

* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

many years, but they apparently are not allowed (under the Human Resources policy) to participate in hiring decisions other than hires for other clinical instructors.

Professor Durfee inquired if there are any policies governing the process of hiring faculty. It seems that there are none that speak to this point. Professor Martin said that CLA has very clear guidelines on this question, which provide that the dean acts following a recommendation from the faculty in the department, and others are allowed to participate (to talk with candidates, to voice their opinions) but not to vote.

It is also true at the Law School that the faculty vote is a recommendation to the dean, but the question is who can participate in making that recommendation, including voting. Professor Chomsky said it is her thought that under the Academic Unit Governance policy, this matter—deciding who can participate and how, including voting—is the prerogative of the unit. There are so many variations in the status of non-tenured/tenure-track faculty that adopting a single rule would be problematic. She said she was not seeking a change in the policy, only a clarification of the meaning of the Academic Unit Governance policy, which was adopted after the Academic Appointments policy and has seemingly not been interpreted in light of the Academic Unit Governance policy. Do the tenured/tenure-track faculty of each unit get to decide how others participate? She noted that being able to vote is an important matter in the Law School. The clinical faculty can already meet candidates and voice opinions, but if they are excluded from voting, they are not being treated as peers.

Professor Balas maintained that voting on hiring tenure-track faculty is the same as voting on recommending someone for tenure; both recommendations go up the line to the Provost. He said it is the same process, in both cases (hiring and tenure) a recommendation to the dean, and they should not be different. Professor Carpenter, however, said the decision should be left up to each unit—and pointed out that they do not "vote" at the Morris campus because the decisions are by consensus. The point is the voting, Professor Balas said.

This is a question about who gets invited to the table to participate in the discussion and vote on hiring, Professor Chomsky said. They, like many units, have a separate vote, by secret ballot, on recommending tenure. She said she did not intend to open a new debate; she thought the Academic Unit Governance policy allowed any issue in unit governance to be on the table except the tenure recommendation and as long as the tenured and tenure-track faculty reserve their ultimate authority. She acknowledged that there could be considerable disagreement among units about this issue; some would never grant anyone other than tenured and tenure-track faculty the right to participate in decisions about hiring probationary faculty while others would.

Professor Durfee suggested it was not appropriate to say whether or not units could allow non-tenured/tenure-track faculty to vote on hiring because there is no University-wide policy that governs the process. Professor Yust pointed to one provision in the Academic Unit Governance policy: "4. Only members of the tenured faculty may formally participate/vote in tenure decisions. Only regular faculty members at higher ranks may formally participate/vote in promotion decisions. (Non-regular faculty in the Medical School who hold full time appointments involving teaching, research and service at affiliated hospitals may be permitted to participate in promotion decisions, but not in tenure decisions.) Recommendation by vote of the regular faculty is required prior to hiring regular faculty for that unit" and asked whether that provision mandates a regular faculty vote. Professor Chomsky responded that she thought the provision, in context, means the tenured/tenure-track faculty can decide to allow other faculty to vote, but a vote to recommend an appointment must carry a majority of the regular faculty as part of

the total vote. That is another way of protecting the ultimate prerogatives of the tenured/tenure-track faculty while still allowing meaningful participation by other faculty.

Professor Martin said she agreed with Professor Chomsky but noted that in another provision of the Academic Unit Governance policy, it is the responsibility of the faculty in the unit—and they could establish a collegiate standard. CLA and Law differ in their practices, and in CLA only tenured and tenure-track faculty vote on hiring. She was not suggesting which unit would decide (college or department), Professor Chomsky said, but seeking clarification on what authority the appropriate unit has in deciding.

With the arrival of the Provost, the Committee put this matter off until later in the meeting, at which time it agreed it would put it on the agenda of an upcoming meeting.

2. Discussion with Provost Sullivan

Professor Hoover welcomed the Provost to the meeting.

Provost Sullivan began by commenting on issues that Professors Hoover and Durfee had raised. First, how the institution thinks about the creation and maintenance of classrooms: there is on this campus a full-time staff that manages centrally-controlled classrooms; there are also a number of classrooms managed by departments and colleges. The question is how to have a conversation when more classrooms are needed. It is a two-step process that starts with the deans and department heads deciding if they have enough classrooms; if not, the dean makes the case in the compact discussion. If the college request is approved, it goes into the University's six-year capital plan. The content and design of a new building or an addition is led by the dean and department heads; a program statement goes to the Capital Oversight Group (COG), co-chaired by Vice Presidents O'Brien and Pfitzenreuter and Associate Vice President Kvavik. This group looks at the program statement and facilitates central discussion that considers program needs in the context of a cost-benefit analysis. The proposal then goes to the President and it becomes a question of priorities, cost, role in strategic positioning, and how much money will come from or be available from various sources (state, University, private funds, etc.).

The last time there was a faculty representative on COG was when Professor Speaks served; Provost Sullivan suggested that this Committee might wish to name a new representative. The Committee agreed.

Second, the faculty-expertise database: discussions have been moving forward, the Provost said, and they are getting close to firm budget numbers. The question is, can they scale up a new system for the entire University? Vice Provost Carney is talking with people at the Humphrey Institute, which has a new exciting system to determine its scalability, and will be reporting on what she learns. The projected cost for a new system is \$60,000 per year.

Professor Balas emphasized that any program must integrate with EFS; Professor Hoover added that it needed to work with PeopleSoft. Provost Sullivan said he agrees and there needs to be integration of each new system.

Professor Yust said she hoped that data-storage needs are recognized; that has been a problem. The use of the system will be limited if the storage-space problem is not addressed. Provost Sullivan said the Office of Information Technology is participating in the discussions and will "own" the system.

The Provost turned next to budget matters and distributed copies of three handouts.

State funds for the University this year (2008-09) total about \$703 million. The legislature and Governor provided about \$623 million in the new budget (2009-10), imposing a cut of about \$104 million, or about 13%. They have been told that the Governor cannot unallot the first year of the biennium and in the second year any unallotment would be limited to \$73 million. They are trying to project and build budgets for the University for fiscal years 2011, 2012, and 2013 using the medium-case outcome. The University will receive \$89 million in federal stimulus funds, which must be spent by September, 2011. Those are bridge funds and the President will recommend to the Board of Regents that \$50 million of those funds be used for tuition mitigation; if the Board approves, there will be tuition discounting and middle-income scholarship for a two-year period. There will, however, likely be some fee increases, but Provost Sullivan said he has proposed that effective this fall there be a moratorium on new or increased fees until the whole issue of fees can be studied from a policy perspective more thoroughly.

The problem is 2012, the Provost said, once the federal stimulus funds are gone. They are trying to plan for 2010 and 2011 and anticipate 2012 and 2013, but the state has not fixed a \$3.1-billion problem that it will have to deal with for 2012-13. The University's 2010 and 2011 budgets are balanced and the administration will make projections on how to balance the 2012 and 2013 budgets.

Provost Sullivan provided a fact sheet for the 2008-09 budget.

8.50% higher-education portion of the state budget
3.90% University's portion of the state budget

Sources of the University's 2008-09 operating budget (about \$3 billion) (in percentages):

23% state support
3 state specials
20 tuition
25 sponsored funds
11 endowment gifts (spent as part of the budget)
14 sales/fees
4 indirect cost recovery

The Provost noted that the tuition and state-support lines will cross on a graph in 2009-2010.

He also provided a ten-year comparison of Twin-Cities-campus tenured/tenure-track faculty and salaries and undergraduate student numbers.

1999 2249 total faculty
1787 non-medical
462 medical

26,968 undergraduate enrollment

2008 2320 total faculty

1833 non-medical
487 medical

28,505 undergraduate enrollment

1999 \$75,203 average salary non-medical
88,523 professors
62,625 associate professors
54,398 assistant professors

2008 \$103,838 average salary non-medical
125,496 professors
86,666 associate professors
78,333 assistant professors

In terms of the peer group, the University ranks 4th in total compensation (not reported in these minutes) and 7th or 8th on salary alone. The peer group is the Big Ten public institutions plus Berkeley, UCLA, Florida, and Texas.

Professor Sampson recalled a Star-Tribune article this spring about faculty compensation that used AAUP data but presented astonishingly high average figures. When he looked at the AAUP data for "all ranks" at 30 research universities it turned out the Star-Tribune had used the figure for full professors only. It is good to have accurate data, but he said he is surprised to hear that the University ranks fourth in total compensation compared to its peer group. [Note inserted at the request of Professor Sampson: After the meeting I discovered my study in fact agrees with the Provost's ordinal rankings even though I used the AAUP "all ranks" average and the University study uses a somewhat different compilation of AAUP data.] Professor Balas said the salary data suggest an approximate annual average salary increase of 3%, which is likely less than the increase in the cost of living during that same period. Professor Martin noted that there were a couple of years of no salary increases in the 1990s even before the 2003-04 University cut of \$185 million.

The Provost then briefly reviewed the third handout, which included an overview of the state budget expenditures for the 2010-2011 biennium (in percentages):

33.7 health and human services
5 public safety
8.5 higher education
38.0 K-12 education
8.6 property tax aids
6.2 all other

One can see the competing public interests, he commented.

He also provided a graph of the state's general-fund appropriations to the University as a percentage of total state spending from 1971 to 2011. With a couple of exceptions from 1985 to 1989 and 2006 to 2008, the line drifts steadily downward, from a high of 8.3% in 1971 to the 3.6% in 2011. The Provost also noted the University's expenditures for 2008-09 by object and by function, and pointed out that the

University needs an annual net increase of about \$80 million in spending (if one includes compensation increases) simply to stand still.

Professor Yust observed that the number of medical faculty increased by about 5% in the ten years reported, the non-medical faculty increased by about 2.5%, and the number of undergraduates increased by about 6%. Is there, she asked, any algorithm suggesting an increase in the number of faculty needed as the number of undergraduates increases? Not that he knows of, Provost Sullivan replied.

Professor Balas questioned the relationship between the sponsored-funding percentage of the budget and the indirect-cost-recovery funds percentage. Something is wrong, he said, if sponsored research is supposed to include 51% in indirect-cost charges. Professor Martin pointed out that the University receives (takes) funds from a lot of organizations that do not pay indirect-cost funds (e.g., state grants, some foundations). Professor Balas said that a high percentage of the University's research funds come from the federal government, which does pay indirect costs, and said he believed the indirect-cost percentage was too low. Provost Sullivan agreed with Professor Martin, saying that funding cultures in other colleges are very different from those of Professor Balas's (IT), and he hears regularly from deans who need to cover the costs of important research that does not carry indirect costs with it. Professor Oakes suggested the data are worth checking.

Professor Hoover thanked Provost Sullivan for joining the meeting.

3 Compliance and Conflict of Interest

Professor Hoover turned now to Lynn Zentner, Director of Compliance for the University, to provide an overview of the activities of her office and to talk about conflict of interest issues.

Ms. Zentner began by noting that she has been at the University about a year and that her predecessor, Mr. Schumacher, and Ms. Anema had developed an effective compliance program that includes compliance partners around the institution. There are about 30 areas of compliance, such as research (IRB, IACUC, IBC etc), environmental health and safety, occupational health and safety, equal opportunity and affirmative action, Dentistry, Boynton, Community-University Health Care Clinic, Dining Services, Housing Services, HIPAA, Privacy (other than HIPAA) Athletics, and Student Finance. For each area, there is at least one compliance partner (subject matter expert) with whom her office works. Risks vary with the area and her office works more closely with people who serve in the higher-risk areas. She asks for written reports twice per year from each of them about risk and compliance and how they are managing them (some risks can never be eliminated and must be managed). She and Ms. Anema meet or talk with each of the 30 partners about their reports to review and flesh out the issues. (The compliance reports are addressed to General Counsel Mark Rotenberg because they contain privileged information; Ms. Zentner and Ms. Anema review the reports, prepare summaries for each of the subject matter areas and also prepare an Executive Summary for review by General Counsel Rotenberg and University Auditor Gail Klatt. Ms. Zentner works closely with Ms. Klatt on an ongoing basis and finds her to be extremely helpful and insightful; she also then reports to the Audit Committee of the Board of Regents at least twice per year.

The Compliance Office is comprised of four programs which include the core Compliance Program (described above), the Administrative Policy Office, the Delegations Program (transferred to the Compliance Office from the General Counsel a few months ago), and the Conflict of Interest program,

which was transferred to the Compliance Office last September but which has been in place for a number of years.

The compliance office is also responsible for the confidential reporting line, EthicsPoint (https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=9167), through which they receive about 150 complaints per year. (EthicsPoint is available for individuals to "report any situation or University conduct you believe violates an applicable law, regulation, government contract or grant requirement, or University policy.") Ms. Zentner, Ms. Anema, and Ms. Klatt review every report. In addition, the system further disseminates the report to others at the University, depending on the subject matter, and the recipients have responsibility for gathering information to determine the merits of the complaint and the appropriate resolution. The Compliance Office conducts follow-up every thirty days on all pending matters to ensure that there is a timely resolution of them. Each year they substantiate about 20% of the complaints, which means that some action is taken to correct a problem. That does NOT mean the other 80% of the complaints are without merit (although a few are); they may be submitted by individuals who may not have complete facts or misunderstand the facts, applicable laws, or the University's policies.

Professor Yust asked Ms. Zentner to whom she reported. To the President, through Vice President Kathy Brown, Ms. Zentner said.

Ms. Zentner next explained the Conflict of Interest program and the external and internal reviews of it that have been conducted. [The information about conflict of interest was presented at the April 13 meeting of the Senate Research Committee and the April 20, 2009 meeting of the Senate Committee on Faculty Affairs and will not be repeated here. These minutes will reflect the discussion of the information Ms. Zentner presented.]

The major questions from the review were (1) how confident is the University that it is identifying all potential conflicts of interest through the REPA process, and (2) would our system be more effective if the initial reviews of REPAs are centralized rather than allowing discretion at the unit level on whether to forward a potential conflict of interest to the Conflict of Interest Program? There are pros and cons with either approach. They now look at about 150 REPAs each year. How many more would they receive if the process were centralized? The final number of REPAs requiring review could double but the process for making that determination has not been completed. The advantage to centralization is increased consistency in the identification of and management of conflicts of interest; however, there is also value in having some level of input and involvement at the local level.

Professor Balas noted that faculty are not involved in the discussions but many COI issues involved faculty. How do they get faculty issues to percolate to the top? Ms. Zentner said they hope to have discussions with faculty this summer to gather input. She said that she has also addressed the Senate Research Committee and SFCA on this topic. She also noted that faculty on the COI committees are the ones who vote and make the final decisions about whether a particular circumstance constitutes a COI and, if so, whether the conflict ought to be eliminated or, if it can be managed, what the management mechanisms ought to be. She will likely recommend that P&A members be added to the COI committees as voting members because some COI issues involve P&A staff. She has not seen any COI issues come to the committees that should have gone to the Senate Judicial Committee.

Professor Oakes inquired about compliance for people who have an affiliation with the University but are not regular faculty. Problems they encounter can be a serious threat, at least in the court of public

opinion. Has she thought about that? Adjunct faculty are required to file REPAs, Ms. Zentner said. Approximately 9000 employees file REPAs. Ms. Zentner's staff follows up to be sure that all who are required to file REPAs in fact do so. She said she believes they catch the problems they need to. Professor Oakes noted that there are a lot of people around the globe who are affiliated with the Academic Health Center; this must be a serious issue for the University. Ms. Zentner noted that, to date, significant effort has been focused on COIs in the research context and that, going forward, increased focus will be placed on COI matters that arise in the teaching and outreach contexts.

Professor Hanna pointed out that there are without-salary faculty appointments; do they receive a REPA from individuals in those appointments? If the person is doing research, they do, Ms. Zentner said. If they are not doing research, it is unlikely they would be included. If they are, her office will pick them up through the Human Resources PeopleSoft system.

Professor Balas asked how they handle senior administrator COIs. They have about 240 senior officers who, in addition to REPAs, also file financial disclosure statements; Ms. Zentner explained that Board of Regents policy has defined who is included in the group. The financial disclosure statement asks about investments, board membership, and sources of outside compensation etc. The review does cover non-profit boards, she affirmed in response to a question from Professor Balas. Professor Oakes recalled that the University of Pennsylvania got in trouble on the institutional COI issue because it had investments in a company that sponsored experiments that led to a patient's death. That must be a major concern of her office. Ms. Zentner described an institutional COI case here that was complicated, involved the input of several people, required multiple meetings of the Institutional COI Review Committee and a very comprehensive management plan. Ms. Zentner said that, in the conflict of interest arena, there is always the worry that a significant matter may not have been identified but the University's infrastructure to identify and manage COIs is sound.

Ms. Zentner turned to standards governing relationships with industry. Several months ago there was interest in looking at how the University might govern its relationships with industry from a COI perspective. The relationships are vital because they provide for the transfer of University-conceived innovations to the broader society. However, they can also engender conflicts of interest. The question is how to manage them. A number of institutions have developed policies and a committee convened some months ago at the University has reviewed a number of those policies and has given consideration to what those institutions have done. She said she would like to obtain input from this committee about the extent to which the University's standards in this area ought to have university-wide application. A number of other institutions have limited the application of their policies on this specific topic to their academic health centers.

Professor Durfee, returning to Professor Balas's point, said that as new policies balance risk and workload, the discussion could use broad faculty input, especially when training is involved. If the policies come out without broad faculty participation, there will be pushback, he cautioned. Ms. Zentner said that training in COI is needed, not to make people expert on the subject but to raise awareness. She said she did not want duplicate what already exists and would like to use a train-the-trainer approach coupled with an online approach. It should be put into the context of training that is already required for all faculty and P&A staff, Professor Durfee suggested.

Looking at outside compensation could not come at a worse time, Professor Balas said, when there are no salary increases. This feels like the sense is that faculty are bad and the University must be protected from them. There will not be a lot of patience to hear this kind of criticism. Ms. Zentner said

she understood, but that federal legislation is likely to require disclosure of outside compensation. Doing so will likely become mandatory in a number of fields. She asked why the scrutiny should take place only in the Academic Health Center. Professor Balas responded that ten years ago the entire University had to suffer through "exceptional" status with NIH because of events in the Academic Health Center and that issues associated with the AHC should not drive policy for the rest of the University. Professor Martin told Ms. Zentner she is also likely to hear from units with little outside consulting; there will be a great deal of impatience at being required to do something that they do not need to do. All faculty members are entitled to their one day per week of consulting, she added.

Professor Hoover thanked Ms. Zentner for joining the meeting. It was agreed she would rejoin the Committee in the near future.

4. Copyright Dispute-Resolution Procedure

Professor Hoover welcomed Greg Brown from the General Counsel's office and Jon Binks from the Provost's office to discuss the draft copyright dispute-resolution procedure.

Mr. Brown said he was present in place of Professor Okediji and Librarian Lougee, who co-chaired the group that drafted the copyright policy and then this draft dispute-resolution procedure. He noted that there were edits to the draft as a result of a conversation with the Senate Committee on Faculty Affairs: one on who makes the call on the eligibility of a dispute for the procedure and one clarifying why the University's normal conflict-resolution procedures may not be used for copyright disputes. In the case of the latter, the legal answer is that the University's authority in the traditional conflict-resolution process depends on its status as an instrumentality of the state, whereas copyright is federal law and the University has no power to adjudicate copyright disputes without requiring binding arbitration, which the authors decided it would not be wise to require. Professor Chomsky said it is necessary to make clearer in the policy itself why federal law precludes use of the University's existing procedures and asked about whether the result of the new process would be binding other than in federal court. Mr. Brown said the University will provide a process for a more-structured airing of concerns; if people are satisfied with the result, the dispute is resolved. But the result does not end the discussion if one party is dissatisfied and wishes to go to federal court. It needs to be made clearer that the decision from this procedure holds unless one of the parties goes to federal court, Professor Chomsky suggested.

It should also be made clear, Professors Chomsky and Yust suggested, that the traditional informal dispute-resolution processes provided by the Office for Conflict Resolution directed by Ms. Chalmers may be used for copyright disputes before invoking this new procedure.

Professor Hanna noted that the Committee on Faculty Affairs had also advised making the one-year time limit only begin to run when someone becomes aware of a dispute. So if people try to resolve the dispute themselves, and then make use of the informal processes in Ms. Chalmers's office, and then move to this procedure, when does the one year start to run, Professor Yust asked? When does the clock start, Professor Oakes asked? Mr. Brown said it was a good question, and the policy draft would be changed to deal with those circumstances.

Professor Chomsky also suggested that the procedure not require panel members who are knowledgeable in copyright law but rather in copyright issues. Requiring knowledge of the law would almost certainly mean panelists would have to be lawyers, but the policy says they need not be.

Could a former student serve on a panel, Professor Durfee asked? Mr. Brown said the procedure does not limit panelists to current University employees and students; it empowers individuals to select people from outside the University but does not require it. That opens up the procedure to a large part of Minnesota, Professor Durfee observed, because there are a lot of alumni.

Professor Durfee asked about the timeline. Because there has been no normative criticism of the draft, Mr. Brown said, he will recommend to the Provost that the provisions be adopted. They have been through the faculty-consultative process and he believes that faculty concerns have been met. He said, however, it would make sense for him to meet with Professor Chomsky later to clear up any remaining language issues, but he did not expect any additional formal review. Professor Balas suggested adopting the procedure and then revisiting it in a year to see how it is working and if people understand it. Mr. Brown noted that these kinds of procedures are reviewed every two years in any event.

Professor Chomsky commented that a broader question is about concerns among some faculty that are not copyright-ownership disputes: how they are treated, what they are expected to do in their unit, what rights they have to give up, and so on. These questions are not about judging who owns something. Is it envisioned that these new procedures could be used to resolve such matters? Mr. Brown said they were thinking about this procedure more narrowly; it would not be the best place to consider employment or academic-freedom issues; those would be handled through the usual conflict resolution mechanisms, including the Judicial Committee, as appropriate. It would help if the procedures would say that, Professor Chomsky said. Mr. Brown said the point could be addressed in the FAQ.

What are the plans to ensure faculty know about the procedure, Professor Yust asked? They will go up on the web in a couple of weeks and will be available to all faculty, Mr. Binks said. They are thinking about thinking about how to do training, Mr. Brown added. Ms. Lougee is interested in providing robust training for the entire University community. For administrators, this would be another layer. Professor Hoover noted that Vice Provost Carney provides department-head training. Professor Yust said that as a department head she has been stunned at the things she has learned about after the fact, including classroom schedules, conflict of interest, and copyright. Training is great but it is one-time; the University needs to consider dissemination of information (not all faculty need to know, but someone has to watch the henhouse). Chairs can be made to feel incompetent when they are not informed.

There has been a lot of concern about directed works, Mr. Brown said. It will take the University some time to get to the culture of understanding the need to do what is fair and what is a reasonable requirement of faculty concerning their intellectual-property rights and what is not. She is not alone in her concern, Mr. Brown assured Professor Yust, and even with a client, he can still say he is not sure what is fair or right.

Professor Hoover thanked Messrs Binks and Brown for joining the meeting. She adjourned it at 3:15.

-- Gary Engstrand