

Notes

CIC Faculty Leaders Friday-Saturday, November 20-21, 2009 325 Coffman Union/Humphrey Ballroom, Radisson Metrodome

- Present:** Carol Massat (University of Illinois-Chicago), Joyce Tolliver, Matt Wheeler (University of Illinois-Urbana-Champaign), Craig Detloff, Erika Dowell (Indiana University-Bloomington), Simon Atkinson (Indiana University-Purdue University Indianapolis), David Drake (University of Iowa), Bob Fraser (University of Michigan), Harold Hughes, John Powell (Michigan State University), Marti Hope Gonzales, Michael Oakes (University of Minnesota-Twin Cities), Timothy Gerber, Christian Zacher (Ohio State University), Lee Coraor, Jean Landa Pytel (Pennsylvania State University), Joseph Camp, Jr., Joan Fulton, Howard Zelasnik (Purdue University), Gail Geiger (University of Wisconsin), Russell Snyder (CIC Office)
- Guests:** Regent Patricia Simmons (University of Minnesota), University Librarian Wendy Lougee (University of Minnesota), Mark Sandler (CIC Office), Carol Iwaoka (Big Ten Conference)
- Staff:** Vickie Courtney, Renee Dempsey, Gary Engstrand, Rebecca Hippert, Jessica Meyer (University of Minnesota)

[In these notes: (1) regent-faculty relationships; (2) compliance issues; (3) the graying of governance; (4) election of Big Ten representatives to the Steering Committee of the Coalition on Intercollegiate Athletics; (5) issues raised by the CIC provosts: open access and copyright; (6) shrinking the scope of the mission; (7) public relations, public perceptions of universities, and standards for evaluating faculty; (8) Big Ten athletics; (9) issues for next year]

1. Regent-Faculty Relationships

Professor Gonzales welcomed Regent Patricia Simmons (past chair and current Regent, University of Minnesota) to discuss regent/trustee-faculty relationships. Regent Simmons is a pediatrician and faculty member at the Mayo Clinic.

Regent Simmons began with three points about regent-faculty relationships.

-- On accountability: Regents' accountability is different; they are accountable to the public, not the faculty, president, or students, for the performance of the institution. Faculty leadership accountability is different and complex and includes accountability to students, research sponsors, and to their disciplines, as well as to the university.

-- Critical to effective faculty-regent relationships: faculty leaders and regents must have a clear understanding of the values and limitations that each brings to the table. Board members are accountable to the public, which serves them well as they try to help the institution fulfill its mission, and they have experiences, skill sets, and connections that can be used on behalf of the institution. They can be a force to protect the president and faculty and there are times regents should take the public pressure. Universities can not and should not simply be "run like a business"; regents from business can bring ideas

about productivity, for example, but understanding the complexity and what is necessary for mission fulfillment is critically important: A good regent admits ignorance and learns along the way.

-- The relationship itself: (1) She appreciates the advice of Nietzsche that "that which doesn't kill me makes me stronger." The University of Minnesota had a battle over tenure in the mid-1990s, with some regents saying that tenure is a problem and needed to be eliminated. That created friction and the stories from that battle still circulate. People learned how destructive serious discord between the faculty and the governing body can be and have since made a strong effort to avoid a repetition, so faculty and regents are very respectful of each other. (2) It is tempting, but counterproductive to stereotype regents and professors. In the case of public institutions, the public may think, because of public funding, that it owns the faculty and the institution and may see the faculty as employees; she received a message from a citizen who was angry and tired of "liberal" professors who don't work very much. She is accountable to him but the faculty do not work for him. The regents are responsible for overseeing the mission and it is important to understand the roles all of us play in fulfilling that mission. The Board Chair, Vice Chair, and Executive Director meet regularly with faculty leaders and the President, Provost, and President's Chief of Staff, usually without an agenda; the discussions tend to focus on "hot topics" but it is rewarding to listen to the common passion for the mission and how to carry it out. She expects the faculty to take great interest in the presidential selection; the Board selects the president but it will want faculty input because of their knowledge and experience and because they need faculty confidence in the president. There is also an annual dinner with Regents and faculty leaders; it is a little thing but it means a lot.

-- One point on which she has not made up her mind: If the relationship between regents and faculty leadership is strengthened or weakened by a president. Even if there were trouble within an administration, the situation could pull the regents and faculty together. The regents and the faculty must persevere and be positive in their roles working together, no matter who the president is; the relationship must transcend the individual president.

CIC faculty leaders made several points in the ensuing discussion.

-- Many universities have adopted a corporate approach while the academic model is peer review, but the faculty may not know who the president is until they read it in the paper. In the academy peer review and transparency should be the hallmark of the process. That is a great challenge at the University of Minnesota, Regent Simmons responded: The Board chooses the president but cannot make a good choice without faculty participation. Minnesota has an open-meeting law, which requires that the Board be open in its process, but it is important to do so anyway. She said it can be a problem if a candidate is unwilling to have his or her name aired publicly; an individual who takes such a position may not be someone who would fit at the public University. The Minnesota Board will have a search committee with one regent as member (who will chair); there will be faculty members serving on it by virtue of position, and there will be at-large positions (which she believes should include additional faculty members).

-- At one institution, there was a failed presidential search, then a second one that was open and public with faculty participation that was a success.

-- What advice did she have for a governing board with no academic members as it starts a presidential search? When she chaired the Board of Regents, her goal was to create a highly functional Board that consists of a diverse group of people who come through a highly political process. The Board

must trust itself and function with mutual respect (so they can trust each other as individual Board members talk with presidential candidates), and it must give a small number of Board members authority to carry out the process (the full Board will have a vote). And there must be robust faculty participation.

-- What about deans and the search? There will be no administrative participation on the search committee, Regent Simmons said. In any presidential search some administrators may be candidates for the job and others may want to keep certain people out of the job. Some may leave the University. Administrators will play a back-room role and will participate in interviews. At Mayo, the CEO will always be a physician; at the University, she thinks the Board wants a president who has credibility and experience as an academic, and also demonstrates administrative competence.

-- What is wrong with students on the Board? They know more than regents about what's going on at the university. Students play important roles in governance, Regent Simmons said, in more ways than just being on the Board. At Minnesota, one regent must be a full-time student when elected, but student members serve a six-year term (so are likely to serve well beyond their student years), and are not elected by virtue of leadership position within the student body. She is interested in models at other universities, where student regents serve a shorter term, and therefore more are exposed to governance experience. Every regent should have the potential skills and experience to chair the board, select a president, and articulate the mission; that is a burden for someone with less experience in leadership in other arenas of life. A board of regents should not be a training ground for leaders. Although the board may make demands on time that make it difficult for working people, it is important to have them. It is important that regents not expect or try to manage the university. A university needs regents with stature, people who are respected in the community. A regent must also be able to shoulder responsibility and sometimes blame.

-- What about faculty representatives on the board? Minnesota has none, Regent Simmons said, but faculty leaders present at meetings and propose policies; the biggest policy now coming, on conflict of interest, was developed by the faculty. The role of faculty in governance is twofold: to govern for the faculty and to advise on what will become regental and therefore University policies.

-- In Michigan, regents are elected by the voters, so win on name recognition and are usually people who have money. Regent Simmons noted that regents of public institutions are elected by a legislature or the public or appointed by the governor, they are not self-perpetuating. States are vulnerable to inadequate results from processes to select regents and public elections particularly make it difficult to people boards with regents who have the needed set of skills and experience. Gubernatorial appointment is as good, and only as good, as the intent of the governor. Election by the legislature should be a good process, but even a legislative election can lose great people because of the process. What can mitigate against a bad process is caring people who champion good candidates.

-- At one institution the faculty leaders have started meeting in executive session with the regents; they ask (1) what are your major issues? and (2) how the faculty leaders can help do the work of the university. What questions would be useful to ask to screen potential regents? Regent Simmons said that for new regents, they should ask what his or her goals are and what the institution should accomplish, and in normal situations should not be enthusiastic about candidates who want to "fix the university." For regents seeking re-election, ask what is the most important thing the person has done as a regent. It helps

if regents establish personal relationships with faculty; they need faculty involved in governance as well as delivering teaching and research, and it helps to have board members who respect the faculty.

-- Are there bylaws that require relationships with the faculty? The culture at Minnesota is that individual faculty members do not lobby regents, Regent Simmons said, and there is an expectation that "things will go through channels." She receives messages on issues; her initial response is "talk to the President" because she will not undermine a president or dean. But she would not restrict faculty access to regents by statute; those communications are a safeguard against a bad dean or president or decision and can be critically important to the understanding of issues. Good regents must manage the relationships responsibly.

-- What self-education is there for regents? Some tend to want to micro-manage. She did a lot of homework, Regent Simmons reported, and considered Frank Rhodes, the former president of Cornell, as a mentor. She read a lot and interviewed a number of people about being a regent. It can be valuable to interact with regents from other institutions and continuing education is important, because regents are obligated to keep on learning about higher education.

-- Is there specific training for the role? When she served as chair, she brought in outside speakers to help educate the Board, Regent Simmons recalled, and she used faculty speakers a number of times. There is a need to establish some common knowledge on the Board.

-- What questions will they ask of presidential candidates when they visit? There will be targeted and general questions, Regent Simmons said. What is their greatest challenge and how will they address it? How will they fund the mission? How will they work with the Board and the faculty and be effective?

-- Board meetings are very formal and not a good way to communicate faculty views, so at one institution the faculty senate leaders go out to meet with the regents in their own communities, and make it clear they are not representing the institution but are speaking on behalf of the faculty; they have received a very warm reception. Regent Simmons commended the practice and said it illustrates how important the role is and that effort is important to make the relationship work. Presentations at board meetings demonstrate points for a broader audience; interaction also needs to occur in other settings.

Professor Gonzales thanked Regent Simmons for joining the group; the faculty leaders gave her a round of applause.

2. Compliance Issues

In the past 10 years there has been an enormous increase in research compliance requirements for faculty researchers and university's administration alike. Faculty members are now required to comply with increased laws and administrative policies regarding conflict of interest, human and animal research subjects, stem-cell research, student interactions, tenure, and related activities. Additionally, executive and administrative staff responsibilities and FTE's have grown substantially. How should faculty governance respond or adapt to these increased demands on faculty and/or administrative growth?

More and more, compliance is requiring more administrative apparatus to carry it out, Professor Oakes began. The point is to talk about how faculty governance can, should, or never should interfere with increasing compliance issues and the level of risk a university should take. Minnesota has just released a draft of a new conflict-of-interest (COI) policy; the previous policy was focused on the Academic Health Center while the new one is more comprehensive and includes the entire university. There are new prohibitions proposed. The University has a large compliance office with very good people, and the topic is a difficult one for faculty governance to navigate.

Those present identified the various elements of their institutional policies. Institutional attitudes appear to range from relaxed to alarmed. There was discussion about the level of risk an institution should tolerate and the extent to which faculty were/are involved in the development of institutional compliance/COI policies. Institutions can spend a lot of time and money and get compliance perfectly right—and doing so will stall everything. Or it can have no compliance. What is needed is middle ground, and the institution needs to talk about level of risk and risk tolerance, it needs to be aware of the "culture of compliance creep" that can stop everything.

-- Administrators say it is just one more small thing, but there are 25 other small things that take a lot of time away from the faculty.

-- At all institutions, one person must sign as the institutional officer, and that person must be confident that others are doing their job. That person can be risk-averse, and can insist on everything being perfect.

-- What is frustrating is when one office wants something different from what the IRB wants, of when compliance office rules violate IRB regulations. There is need to make sure units work together.

-- What good can come from this? Faculty can talk with each other about what they want to be as faculty. It is a problem for the faculty; misbehavior "makes ME look bad." There is a need for discussion around proper faculty behavior and the current COI discussions are useful. Regulation and overhead are good for defensive purposes but the value is in the faculty discussion.

-- One institution found that about 40% of faculty time is spent on varieties of compliance activities.

-- Another institution has an office of research compliance, part of the charge to which is to minimize the burdens on faculty.

-- The price of non-compliance is huge: The institution can be shut down. They changed their IRB rules so that all must training about the ethics of education. That has improved control.

-- It is not clear what it means to say that a system is working well. The institution/faculty may think so until the hammer comes down. Institutions have to be careful; faculty outside of compliance often do not know what the issues are and may think things are fine when they are not.

-- The question is how to structure compliance so faculty governance remains integral to what is done, and so the process is not so top-down.

-- Faculty need to stay close to compliance issues.

The concern is that in these times, there will be more calls for compliance, which will mean more money into compliance efforts/offices, and calls for more faculty productivity.

3. The Graying of Governance

The group discussed ways of encouraging newly-tenured and more senior faculty to participate in governance.

4. Coalition on Intercollegiate Athletics Steering Committee Representatives from the Big Ten Conference

The participants in the meeting from the Big Ten schools that are members of the Coalition elected Gary Engstrand (Minnesota) and Matthew Wheeler (Illinois) to 3-year terms on the Steering Committee.

5. Issues Raised by the CIC Provosts: Open Access and Copyright

Part of the new mission for research universities is likely to involve providing public access to our teaching and course materials. What are the benefits and liabilities of such open access e-education as is provided at MIT and Harvard University, especially in light of financial challenges confronted by the University of Utah when it comes to financial and staff support for courses on the web? What copyright issues surround the development of new online courses and the recording of course lectures? Who owns these materials, what are universities doing to address these copyright issues, and what have been the opinions of university counsels?

Professor Gonzales noted the content of the agenda item and turned to University of Minnesota Librarian Wendy Lougee to lead a discussion.

Ms. Lougee used a series of PowerPoint slides. She noted the goals of scholarship for individuals and for institutions. Goals for the individual include contribution to the domain, recognition, impact, and rewards; for the institution they include contribution to the academy, recognition and visibility, impact, and rewards. The strategies to achieve the goals, for individuals, include publishing, and papers and presentations; for institutions, they are policies, faculty support, and infrastructure. The rewards for the individual include promotion/tenure, visibility, and reputation; for the institution they are rankings, funding and support, and reputation. In the case of publishers, their goals are to maximize prestige and revenues; their strategies are policies, control of assets, and control of access; their rewards are financial return and reputation.

Ms. Lougee turned next to the "circle of gifts" in scholarly publishing. It is an unusual economic ecology, she said, in which many contribute time, effort, and expertise without compensation, and then institutions buy back intellectual assets through their libraries.

She raised the question of collective action by passing along a couple of observations from a recent report by Ithaka (a research organization created by the Mellon Foundation). "Universities do not

treat the publishing function as an important, mission-centric endeavor . . . and the result has been a scholarly publishing industry that many in the university community find to be increasingly out of step with the important values of the academy." And ". . . a renewed commitment to publishing in its broadest sense can enable universities to more fully realize the potential global impact . . . , enhance the reputations . . . , maintain a strong voice in determining what constitutes important scholarship . . . , and in some cases reduce costs."

Ms. Lougee also discussed "Rights Management and Evolving Models." She noted that copyright grants the owner four exclusive rights: to reproduce the copyrighted work, to distribute copies to the public by sale or other transfer of ownership, to prepare derivative works based upon the copyrighted work, and in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works, to perform or display the copyrighted work publicly. Authors can retain all of some of these rights, she pointed out—they do not have to give them all away.

"Open Access (OA) literature is digital, online, free of charge, and free of *most* copyright & licensing restrictions. OA focuses on royalty-free scholarly communication. Author agrees to a license that may require attribution or block commercial re-use, but permits the uses required by legitimate scholarship (reading, downloading, sharing, storing, printing, searching, linking . . .). There are two Open Access models and it is important to distinguish between them. One is OA publications (peer reviewed), for which the economic model typically requires payment by the author, and the other is OA archives, which are repositories (institutional, disciplinary, governmental) in which a digital copy of a published or pre-publication work is deposited. NIH Public Access Policy 2008 requires the final manuscript be deposited within 12 months of publication; the proposed new Federal Research Public Access Act 2009 would require it be deposited within 6 months of publication. The OA publications have no subscription basis, so typically the author pays approximately \$1500-2000 per article. In the case of the OA repository, an article would still be published in a traditional journal but a digital copy of the work or a manuscript version is deposited in the repository.

Ms. Lougee described the state of play. There are about 4500 OA journals and about 60% of journals allow some form of open access deposit or archiving. Disciplines with OA repositories include the Social Science Research Network (SSRN), REPEC (Economics), AgEconSearch (Applied Econ), Arxiv (Physics+), PubChem (NCBI), and PubMed (Biomedical). There is evidence of increased citation/impact: There appears to be about a 30% increase in citations for items that are open access.

Most publisher policies seek full assignment of all rights (reproduction, distribution, derivative works). However, the publisher only needs the right to reproduce /distribute. The author can retain rights, such as the right to derivative works, to self-archive, for OA deposit, to use at his/her own institution. One of the participants in the meeting noted that junior faculty can be allowed an opt-out of an institutional requirement that the author retain rights for deposit.

Ms. Lougee noted that a number of faculty senates or similar bodies have adopted statements and policies about publishing and open access. Almost all of the faculty senates at CIC schools have adopted the CIC authors' addendum, which can be used with a publisher's copyright transfer form in order to retain some rights. .

The University of Minnesota Libraries recently completed an environmental scan of policies and practices related to publishing across 123 departments in 14 colleges. With respect to promotion and tenure policies, 5% of departments explicitly accept alternative publishing options while 12% explicitly prohibit alternative options; 30% of department policies consider citation/impact factors. Deposits in the University's Digital Conservancy (institutional repository) have been modest: 9% of departments report that 20+ faculty deposit. At the University there are 555 faculty members who serve as editors of 757 journals/series, including 32 editors-in-chief, officers of 66 professional societies, and 31 publication board members.

The publisher policies for those 757 publications where University of Minnesota faculty have editorial roles revealed that 45% of the publications permit archiving pre- and post-print, 23% permit pre-print archiving (that is, pre-refereeing), 4% permit post-print archiving (final draft post-refereeing), and 9% do not formally support archiving and prohibit open access.

In terms of the CIC schools intellectual property policies, Ms. Lougee reported, the majority provide faculty ownership of copyright for academic works. They either grant outright ownership, or grant ownership back to faculty, and the university does not assert copyright interests. A recent emergent model is reflected in the new policies of Harvard Arts & Science, Law, and Education schools, and at MIT: The authors grant the institution a non-exclusive right for institutional open access deposit/archiving. At MIT the policy provides that the university has non-exclusive rights at the point of creation. In the case of MIT, an Ad Hoc Committee of Faculty was charged to look at the issue and voted unanimously that "Each faculty member grants to MIT nonexclusive permission to make articles available and to exercise the copyright in those articles for the purpose of dissemination." The final version of article is deposited. The library has negotiated directly with publishers to identify those who will cooperate without an author's addendum (so authors do not need to do so), and the implementation group is the Faculty Committee on the Library System. The MIT faculty cannot hand over all rights because MIT has a non-exclusive right, and thus protects the faculty and does not require them to negotiate with the publisher.

One growing trend is institutional support for OA publication authors' fees. The Compact for OA Publishing Equity Supports equity of the business models by underwriting reasonable publication charges for articles published in fee-based open-access journals; its members include Cornell, Dartmouth, Harvard, MIT, and UC-Berkeley, and in the CIC Michigan State and Wisconsin provide some author fee support.

Ms. Lougee outlined several strategies that institutions can pursue. In the policy arena, education and consulting services can be created to help faculty with publisher policies and to comply with federal requirements of deposit. Policies can also enable greater open access deposit (e.g., MIT and Harvard). Institutions can also invest in open access through subsidy for author fees. In other words, institutions can put their money where their mouths are. In terms of infrastructure, institutions can support OA repositories/archives for preservation/access. There are also examples where institutions have invested in copyright/publishing advisory services, and a publishing/dissemination infrastructure.

Ms. Lougee observed that institutional general counsels do not typically advise on rights because they are the faculty member's rights, not the institution's.

The presentation elicited a number of comments.

-- At one institution they are starting to draft a policy about depositing materials, etc., with an exception for probationary faculty. They do not want to put probationary faculty in the position of possibly being denied tenure because a journal refused to publish an article due to clauses about depositing a copy in an institutional repository. Virtually no one uses the CIC Author's Addendum, although it is very powerful. Adopting a policy across the CIC would be more effective. Ms. Lougee observed that it is institutional policy at MIT and it does not matter if the faculty member is junior or senior.

-- What is the attitude of the CIC librarians to the MIT policy? They are generally supportive, Ms. Lougee reported, recognizing that campus policies vary and adoption interests will vary by disciplines. However, open access can, over time, have an impact on publication prices and on academic control (it retains it or brings it back to the institution and individual). She said they like to believe the economics of the policy will work for all parties.

-- About ten years ago, libraries militated for and wanted to reduce costs as the current inflationary model for publishers is not sustainable. In more recent years, there has been growing investment in digital infrastructure, copyright specialists, and education to help authors deal with publisher policies. Increasingly, the focus is shifting from one of economics to one that realizes the significant investments the academy makes in publishing and the value of taking greater control of the intellectual assets created in the academy. It is about options.

-- The discussions vary with the disciplines. The humanities are less concerned about immediacy than originality. What may be said is that the talk about options versus a mandate (to deposit materials in an institutional repository) will be seen as another hoop for humanities faculty, one that does not benefit them. MIT, it was noted, does have an opt-out clause in its policy.

-- Is there any role for peer-reviewers? That is a matter for the discipline, institution, and generation, Ms. Lougee said, and it is difficult to get them all in a row. It was said that junior faculty who choose open-access journals could face a different review process. Another of the group commented that electronic journals are not seen as serious or as credible as traditional journals. Another commented that one can criticize online journals, say they do not have as good a peer-review system, and don't count as much, but it is time to rethink online journals in promotion and tenure; they should not be measured by 50-year-old traditions. One institution is trying to evaluate the impact of publication in electronic journals; it appears to vary by discipline. Some are low and there may be more impact in some cases with open-access. Ms. Lougee reported that in the case of one faculty member at Minnesota, the citation of articles rose when deposited in an institutional repository (because the repositories are privileged in Google). Would open-access journals bring peer review back into the academy? It is more about bringing control of intellectual assets back to the academy, Ms. Lougee said, and it is about relationships between faculty as peer reviewers and publishers. Do they, she asked, make judgments about journal policies when they are asked to be peer reviewers or to serve editorial roles? [Ms. Lougee noted after the meeting, in commenting on these notes, that "there's a bit of confusion here. Most journals now have electronic versions and these have the same peer review standards. Most OA journals are also peer reviewed. There are some new genres of journals that have different forms of peer review or more real-time review online.]

-- In part because of lags in publication, junior faculty look for high-impact journals and do not need gatekeepers any more with electronic publication, and they don't need peer review because the discipline will decide on the quality of the publication. Ms. Lougee agreed that there are models for putting an article out in the electronic world, and they do get reviews.

-- There are a lot of cross-cutting economic interests on the campuses (university presses, professional society publishers, etc.). It is not good guys versus bad guys. Nor is it easy to discuss these topics within faculty governance because the faculty are not of one mind.

-- What is the cost of subscriptions online versus paper? Ms. Lougee noted that models vary and often the costs are bundled. In general, e-only formats can be the same cost or slightly lower. However, the way that journals are provided has changed from individual subscriptions to "packages" from particular publishers. The prices within those packages are often bundled and reductions in the number of titles can result in an increased cost for the package. She further noted that at Minnesota, total commitment to Elsevier Science, Springer, and Wiley accounted for 35% of overall expenditures for journals and databases this past year, although represent only 4% of journal titles. They are in an untenable situation. It was said that if one finds out a journal is gouging libraries, one should be willing to take peer-review activities elsewhere and should be willing to say so to peers. But the average faculty member does not hear this presentation, another person rejoined, and junior faculty will sign a letter from a publisher without any questions if it means an article will be published. The core issue is that faculty must educate themselves and must take a look at the promotion-and-tenure processes.

-- MIT can adopt the policy it has; smaller institutions cannot because faculty at those institutions would then not be able to publish. Another person, however, said that if the big public universities take a stand, that paves the way for the smaller institutions to follow suit. The faculty at this meeting, representing the institutions they do, have some responsibility. Ms. Lougee agreed that this is a faculty issue; the question is how the libraries can help. And what, she asked, did the group wish to tell the CIC provosts?

-- How can the CIC throw its weight around? No publisher is going to walk away from a CIC institution, or from the CIC collectively. One provost has suggested the CIC develop a publishing activity and help faculty sort through decisions. The 13 CIC members are very strong and could have an effect, Ms. Lougee agreed.

-- The message has to come from tenure committees; faculty must have an incentive to publish in OA journals without fear—and not receive credit for publishing in Elsevier. Policies vary but change can be enabled by a statement from the faculty. Over the longer term, this will mean one cannot take a journal title as a proxy for quality.

-- OA would help reclaim promotion and tenure, which in biomedical fields has been abandoned to journals. In the case of a corporate or government author, the question would not even be asked; the journal would not own the copyright.

-- One member of the group asked if the MIT language should be taken to the CIC faculty senates. Ms. Lougee said she has heard academics say that faculty should play a bigger role in framing campus

policy related to the dissemination of published works. If the CIC faculties and libraries could go to publishers and say the CIC faculty endorsed something, that would put publishers on notice. MIT decided not to put the burden on the individual faculty member. What about reserving rights for the CIC faculty as a whole, asked another? That would assume that all institutions would be willing to adopt such a policy, enabling individual authors to retain rights and deposit in OA archives.

-- The thunderclap would be federal legislation similar to the NIH mandate, Ms. Lougee said. What are the downsides? Since the majority of institutions uphold the so-called "teacher's exception" to copyright law (i.e., giving copyright to the authors), a federal mandate will require individual authors to comply with deposit requirements. Do publishers prosecute if one distributes copies, asked one member of the group? Ms. Lougee said she did not know about cases involving individuals, but they have gone after institutions.

-- Change in promotion-and-tenure committees would be a two-edged sword. Peer review is a way to judge quality of faculty members, and they could become more "good old boys" if they do not rely on peer review. There is a need to identify processes that maintain peer review for good reasons.

What are the principles the group embraces that should be kept in mind and could be advanced in policies? Ms. Lougee suggested several principles had surfaced in the discussion that might frame a statement for CIC faculty. First, there may be institutional interests in reclaiming control over publishing. Second, the CIC could endorse making OA deposit the default (similar to MIT). Third, there is interest in programs to raise the consciousness about publisher and policy choices. Finally, policies need to be sensitive to disciplinary differences. Cooperation among CIC schools in all these areas could be pursued, with a policy statement having significant impact.

6. Shrinking the Scope of the Mission

"Fiscally challenging times that lie ahead for research universities necessitate a re-examination of our mission. What should be our mission in the next five years? Over the next decade and beyond? Where should we contract our efforts? Where should we expand our activities? How can faculty governance best participate in these decisions?"

Professor Oakes reported that University of Minnesota faculty had recently been talking about a report entitled "Financing the Future." The financial model in the medium term is untenable; the faculty leadership has discussed with the University's academic officers what the institution is going to do and how the faculty will be involved. That led to a discussion of the scope of the mission and what the institution wants to be in five years. Comments from different individuals at the meeting follow.

-- At one institution, facing cuts and the elimination of the stimulus funds, they insisted that the process had to be faculty driven; six task forces were appointed to identify what should be done, and each one has a faculty senate leader on it. Are they optimistic that the structures can keep the institution viable? The reason they feel positive is because the initiative is coming from the faculty, to whom it is clear there is no choice. The Board of Regents has to buy into the process as well, because they do not want the Board to say the faculty did a crappy job so they'll do it themselves.

-- One question is what to do with the humanities. There needs to be a moral decision, not just decisions made on the basis of which units are the most successful financially. There needs to be agreement about the need to train students in critical thinking.

-- At one institution the process started a couple of years ago and all the documents are on the web. It began with defining the mission. The provost made it clear the institution cannot sustain all of its activities and asked the colleges to tell what they can do and what they cannot—and saying that they need to do everything they do was not an acceptable answer. What programs are not sustainable? Those colleges that do the fairest assessment will be judged by criteria that have been established; those that do not

-- "If you try to save it all, you will lose it all." They have tried to be as transparent as possible.

-- One can raise questions (e.g., about the number of graduate programs in Italian), but they may be answered irrespective of mission.

-- The administration said that if the faculty do not make the decisions, the Board of Regents will—and the faculty won't like it.

-- The administration wants faculty participation but the administration has the numbers and the faculty don't, so it's not a level playing field. The faculty are trying to get the data. (A comment in response: Without the numbers, the faculty will not believe the situation is as serious as the administration says it is.)

-- Without a change in the budget model, there is little room to change. There is no way to do the reallocation that is needed.

-- There is a range of concerns, one of which is that no plan is a plan—and in that case, faculty consultation is a waste of time.

-- There are rumors that plans are in place and faculty participation is just a cover; in that case, the only reaction is the bully pulpit. It is not clear that the assumption an institution should play to its strengths and cut its weaknesses should be taken for granted. The question is the core mission; institutions need classics because of their core mission.

-- Haste makes waste; there needs to be good deliberation and communication between the faculty, the administration, and with administrative units. One person out of synch can screw up the process.

-- It has not been said that a program was cut because of poor quality; the decisions are based on financial sustainability given the mission. (Would that mean cutting a program that a lot of students are in, raising a lot of money, because it does not fit the mission? One response is that "it just became part of the mission.")

-- The tombstones of Irish families demonstrate that if one shares the food equally, all will die, rather than not sharing and allowing a couple of people to survive.

There were a number of comments about what will be cut/added: centers and administrative support, IT costs, more professional masters programs with paying students and few small Ph.D. programs, college consolidations, preferring use of the medical-school clinics as a self-insured institution, provision of programs to prisons (which are draining enormous sums of money from the states). In one case, the state has calculated the cost of obesity, which is costing the state \$433 in health care costs, projected to rise to \$1877 by 2018, and that is money that will likely be taken from education, so the universities in the state could save millions of dollars by helping everyone lose 10 pounds.

What is the future of state research universities when the percentage of the state budget going to the institutions is zero? Or only a very small percentage?

7. Public Relations, Public Perceptions of Universities, and Standards for Evaluating Faculty

Public perceptions of higher education in general and our own universities in particular—including legislators' perceptions—are often shaped by media reports, and too often these reports focus on what's gone wrong (e.g., conflicts of interest, conflicts between faculty and administration). What should be the role of faculty members and faculty governance in shaping public relations? How we work to be more proactive in shaping public perceptions, aside from news stories about new technology, agricultural products, or life-saving medical devices or procedures?

Professor Oakes opened the session by noting that the University of Minnesota, like its peers, has been subject to unfavorable media coverage on a variety of issues (e.g., consulting arrangements with companies, light-rail transit, conflicts of interest, perceptions that faculty do not work very much, tuition increases). What role does faculty governance or faculty leaders have or what role might they play in media coverage in order to help shape public perceptions of the institutions? A number of points were made in the ensuing discussion.

-- Faculty should talk to reporters; they are not out to get the university, they want good stories; most faculty won't talk to reporters but they should be accessible and should respond. Faculty should be offered training on how to talk to reporters; most don't know how. Faculty can provide a counter to the administrative view of things, but faculty may hesitate to give their name if they are rebutting the administration.

-- In the case of one institution, the newspaper has an agenda and will take it as far as possible, and it does not matter what one says to a reporter.

-- With online publication, there is a very short time between an interview and its publication on the web (it could be as short a period as 15 minutes later). And with TV, they can put on the least representative statement made in a long interview.

-- It is important to have good relationships with reporters so that one can lay down ground rules. One can go off the record to explain what is really going on, and then conduct a formal interview and answer questions. One view ran to the contrary: One is never off the record. One may have an academic point, but they are not academics; something is news for less than 24 hours and they want a 5-10-second clip out of an hour-long interview that can be used. Reporters are looking for something that will make news and it is an adversarial relationship. One must watch one's words very carefully and

never assume that anything said is a secret between you and the reporter. "They are not my friends," although they are not enemies, either.

-- One worries about the general public perception. Faculty are asked what they teach, which reflects a misunderstanding of a research university. There needs to be more education of the public and legislators. Faculty wonder how to say "that is a bad apple and the rest of us are working 80 hours per week." How do faculty talk to the public and elect legislators—who then cut funding? One sees stories on the web with reader comments; some of the readers are so angry, and it is a problem when a lot of people see the university and faculty as a bunch of crooks. (One of those present commented that "our STUDENTS don't know what the university is. How can we expect the public to know? We do a terrible job with our students" in educating them about what a university is.) People may be bitter for reasons that have nothing to do with the university, but as public institutions they need to understand those views. The institutions are responsible to the public; if the public does not like the institution, the institution will have to change.

-- In locations where people are losing jobs, some of whom may be friends of faculty members, the faculty are told they should consider themselves lucky because they are not affected by the economic downturn in the same way as a 25-year employee of a company who loses his or her job. The point is how the faculty are perceived; they could do more to help support friends and neighbors.

-- At one institution, for a time, there were stipends for faculty to talk to outside groups, and the program worked really well.

-- At another, they created an outreach/engagement corps, volunteers who get on a bus and every summer and go to communities and meet with leaders and have town-hall meetings in order to say what faculty do and what benefits they bring to the state. They also have information by county on how the university impacts them—number of students from the county at the university, hospital visits, etc. The effort is coordinated by the provost's office. They also ask faculty if they work in the state and compile a database of faculty work done in the state.

-- At another, the development office sponsors bus trips around the state with faculty volunteers; they fill the bus every fall and spring.

-- In one state, all of the state institutions have PACs; it costs \$150 to buy in. There is a need to not only do PR for the public but also to focus on the power brokers. They have gatherings in homes, for example, with the men's basketball coach and the chair of the board of regents—people attend because that is how politics is done. Legislators also attend.

The public-service role of faculty is important and part of service to the university and the community. They try to carry out community-based research and work with communities every step of the way so they are not seen as exploiting the community or being carpet-baggers. A contrary view was that within a decade there will be no external service. External scholarship people don't care about. They want service, and they have good things to say about it, but they do not understand scholarship. A response was that that varies by organization, and that scholarship does not mean no service; scholarship makes sense if it provides good service as well.

One problem is that federal funds for service are going away; the money is going to research and faculty are expected to generate indirect-cost funds. The model is changing and the states are not filling the gap.

This group can talk about all these things related to service, but doing so means they need to change the way they think about faculty. Faculty may want to provide service, but they care about research—and when one is on a promotion-and-tenure committee, one doesn't give a hoot about service. Faculty start out wanting to do scholarship but some lose interest in it—but they keep on doing it because that is how they are rewarded. At one institution they promoted someone to full professor based on community engagement, but it was a battle because the work was not scholarship in the traditional sense. It is the way peers are judged, by traditional measures, that is a problem. ("We have met the enemy and . . . ") At another institution, they had a candidate for promotion who was strong on community engagement but had no research—and did not receive a promotion. If the faculty are serious about this, there needs to be a serious discussion about what it means to be a faculty member in the 21st Century. But there is no serious dialogue about it.

The major funding agencies will not now consider funding a grant proposal unless outreach is involved, or technology transfer, etc., and require that the impact of the work be measured. If this is coming from funding agencies, that will drive changes in behavior.

It is one thing for a provost to propose a reform, but the dialogue is in the departments, where actively-participating faculty do not reward service. The deans and faculty committees are living in the 1960s.

External service is not just talks, there must be scholarship and new ideas that feed into the classroom and that is written up so peers across the country can learn from it. Telling the story in a promotion dossier is another story: There needs to be a discussion of impact. And not only the impact of the project; it is necessary to get away from the bean counters or faculty will not spend time on a long-term project.

What is this group supposed to do? Develop a proposal to advise promotion-and-tenure committees? The group can't tell faculty how to vote; it is necessary to change the culture at the department level; there will still be votes by secret ballot. The group could send a message and explain that this kind of culture change is tied to the survival of the institutions. The dialogue needs to start with the senates—they are the skeptics. It will take something catastrophic to effect the change because departments use the same criteria and keep hiring the same people who come out of the same system. A provost can't tell faculty what to do—or if he/she tries, the faculty will leave the room.

At one institution, a candidate with a heavy service record was not promoted; three years later, a similar candidate was. What does that say to junior faculty? It says it depends on who's on the committee. The discussion must start with the CIC—if this group of faculty can't start something, where will the academy go?

It was agreed that a position paper should be written. It should include a survey of grants that demand service; that catches people's attention and is tied to survival; the more evidence there is, the

stronger the statement. In many NSF grants, there is a requirement for involving under-represented groups.

NIH has a massive new structure, the CTSA (which is about translating research into the community). The problem with outside research is that it is not "I'm here from the University," it is "I'm here to help." Survival means that faculty need community partners; not every faculty member needs to do community-based research, but those who do it should not be punished and should be considered a valuable part of the team. And faculty who are involved with it, helping, are sometimes punished if they are not co-PIs—but they could be one of the key people working on a project. Young faculty need to work with experienced faculty. There also needs to be credit for interdisciplinary work and cluster hires. They are hard to evaluate, it was said, but institutions do need to make cluster hires; skeptics see them as a way to undermine departments but they have proven to work well.

It was suggested that the group develop guidelines to consider and then bring the provosts into the discussion. Faculty on the individual campuses need ammunition so they know they are not alone in wishing to consider service to the community as a worthwhile element of a dossier.

8. Big Ten Athletics

Big Ten Associate Commissioner Carol Iwaoka joined the meeting to discuss athletics and academics.

Dr. Iwaoka distributed several handouts explaining the organization and principles of the Big Ten. Some of the points she made were these:

-- The work of the Big Ten is a laborious, collaborative effort between faculty and administrators, but exercises in the Big Ten flow more smoothly than in some other conferences because there is more confluence of interest between the athletic and academic communities.

-- In terms of conference and campuses, there are areas of common interest to all campuses and there are local issues. The Conference office must be sensitive to the latter; it does not, for example, dictate policies on missed class time, but there is a Conference policy on when teams can leave for Conference championships (because pressure was being brought to bear on faculty members to permit early departure). Relatedly, the NCAA does not allow rescheduling of final exams for athletes, but sometimes faculty members reschedule their finals out of final exam week, which then prevents an athlete from taking it: This is an institutional issue. There are data suggesting that at some institutions athletes are "clustered" in certain majors; the Conference does not say where athletes should major because that is up to the institutions, as is the monitoring of grading.

-- The Faculty Athletics Representative (FAR) (per Professor Wheeler, FAR for Illinois) has two mandated responsibilities: oversight of the academic enterprise and student-athlete welfare.

-- The Academic Progress Rate (APR) measures the academic progress of athletes; institutions must meet NCAA standards to avoid penalties. It provides much more transparency and accountability and was meant to change behavior of coaches in recruiting. (One participant pointed out that a problem with the APR is that because it uses progress to a degree (in four years) as the standard, a student-athlete who

changes a major because his/her interests change will no longer qualify on the APR—while other students can change majors without such a penalty.) There will be public access to the coaches' APR in 2010, so academic performance indicators will be available team by team at all NCAA institutions. (Professor Wheeler reported that there is discussion about the need for a waiver program for athletes who decide to change majors for legitimate academic reasons.)

-- There are colliding principles in play: rules for abusers and why they need to affect everyone. Competitive equity can trump other principles.

-- Recruiting is a hot topic, in part because it is happening earlier and earlier (including recruitment of 7th-graders in men's basketball). Athletes have indicated that if they could see one rule change, it would be in recruiting (to restrict it). (But there are also parents who scramble to get their child into big-time athletics; coaches are bombarded with videos of young athletes.) The same problems pervade non-revenue/Olympic sports as well: Coaches can be fired for not recruiting top players and parents may be getting worse and worse about getting their children into a program. In some cases, the parents see sport as the only means of access to college for their child.

-- One faculty member inquired if the Big Ten ever questions the fundamental assumptions. Does this make sense? Are they part of a broken system? Dr. Iwaoka said they recognize that the situation is what schools have done to themselves. The NCAA is a voluntary membership organization; the schools create the problems themselves with the rules they adopt. There have been attempts at reform, but no one institution can do it alone.

9. Issues for Next Year's Meeting

A few issues were identified for next year:

- minority/diversity issues
- the role of service (as a follow-up from the discussion at this meeting)
- resource issues.

-- Gary Engstrand

University of Minnesota