

CASE WESTERN RESERVE UNIVERSITY  
**Faculty Senate Executive Committee**  
Meeting of March 20, 2007, 9 - 11 a.m.  
Room 352 Adelbert Hall  
**Revised AGENDA**

- |     |   |                          |
|-----|---|--------------------------|
| 1.  | Approval of Minutes of the Meeting of February 19, 2007                                     | J. Alexander             |
| 2.  | President's Announcements   | G. Eastwood              |
| 3.  | Provost's Announcements   | J. Anderson              |
| 4.  | Chair's Announcements   | J. Alexander             |
| 5.  | Approval for Name Change of B.A. Degree to Religious Studies<br><i>(Action Item for EC)</i> | J. Alexander             |
| 6.  | Proposal on Voting Privileges for SAC Chair<br><i>(Action Item for EC)</i>                  | J. Alexander/C. Tremel ? |
| 7.  | Fac. Personnel Comm. Report on Conflict of Commitment Policy<br><i>(Action item for EC)</i> | A. Huckelbridge          |
| 8.  | Research Committee Report on Openness of Research<br><i>(Action Item for EC)</i>            | C. Musil/E. Cottingham   |
| 9.  | By-Laws Committee Report on Budget Committee Membership<br><i>(Action Item for EC)</i>      | J. Alexander             |
| 10. | Memo from Budget Comm. re Advice and Oversight Role   |                          |
| 11. | Minority Affairs Committee Reports  | R. Nagaraj               |
| 12. | Nominating Committee Report on Elections/Slate of Candidates                                | R. Salata                |
| 13. | Update on Pandemic Flu Planning Committee ?   | R. Wright                |
| 14. | Approval of Faculty Senate Agenda for March 27, 2007<br><i>(Action Item for EC)</i>         |                          |

Adjournment

Attachments:

- Item 1. Minutes of the February 19<sup>th</sup> meeting - to be sent later
- Item 5. Name Change to Religious Studies
- Item 7. Conflict of Commitment Proposal
- Item 8. Openness of Research Proposal
- Item 9. Proposal on Budget Committee Membership
- Item 10. Memo from Budget Committee
- Item 11. 3 Proposals for Disc. Minority Affairs: Environment, Ombudsman, Sexual Harassment
- Item 12. Nominating Committee Draft Report
- Item 14. Draft Agenda for Faculty Senate Meeting of March 27<sup>th</sup>

## **F/S EC Agenda Item 5. Name Change of B.A. Degree to Religious Studies**

March 8, 2007

The Department of Religious Studies is requesting that the title of the major and minor earned in our department be changed from “Religion” to “Religious Studies”. In this way the nomenclature of the major or minor will conform to our department’s name.

### **BACKGROUND TO THE REQUEST**

The Department of Religion (as it was then known) submitted a petition for a name change from “Department of Religion” to “Department of Religious Studies” to Dean Mark Turner on October 21, 2005. Our request came because “Religion” is an older and an increasingly out-dated term for our field. With the growth of the field of the study of religion in both numbers and methodological sophistication over the last several decades, more and more programs have in fact adopted the name “Religious Studies” as more descriptive of what they do. In essence, scholars in our field see themselves as researching and teaching the study of religion rather than researching and teaching about religion itself, which is more a theological approach. Our request to the dean came with the unanimous backing of the tenured and tenure-track faculty in the Department, as well as broad support from our students.

Our proposal worked its way through the various College and University approval levels. The proposal for a change in nomenclature for the Department came before the Board of Trust on May 24, 2006 and was approved by the Board on that date.

Peter J. Haas  
Abba Hillel Silver Chair of Jewish Studies  
Chair, Department of Religious Studies

## **F/S EC Agenda Item 7. Conflict of Commitment Policy**

The Personnel Committee met on January 31, 2007 to discuss the Conflict of Commitment Policy drafted by the Medical School. It was the consensus of the Committee that the detailed policy and procedures included in the Medical School proposal were not necessary university wide. However, it was agreed that a definition of Conflict of Commitment and a Policy Statement regarding the obligations of university faculty would be appropriate and useful and could be added to the Faculty Handbook Chapter 4 Section VIII Conflict of Interest.

The Committee found the language of both the Ohio State and Northwestern policies useful. We have chosen the language included below to serve as this university’s general statement of policy.

### **CONFLICT OF COMMITMENT**

#### **I. DEFINITION**

For purposes of this policy, a conflict of commitment exists when external or other activities are so substantial or demanding as to interfere with the individual’s teaching, research, scholarship or

service responsibilities to the University or its students. Faculty accept an obligation to avoid conflicts of commitment in carrying out their University education, research, scholarship or service responsibilities.

## II. POLICY

Full-time faculty members, including administrators with faculty appointments, owe their primary professional allegiance to the University, and their primary commitment of time and intellectual energies should be to the education, research, service and scholarship programs of the institution. The specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ across schools and departments and will be based on academic practice and/or specific written agreement between the faculty member and his or her department chair and/or college dean.

Faculty members holding full-time appointments may not hold full-time appointments of any type in any other organization, nor may they hold faculty appointments at other educational institutions without written approval from their dean. It is important to recognize, however, that the obligations of faculty members move beyond the letter of these policies to their spirit. The University requires that its faculty members meet their classes; but it also expects that they will be available to students outside of the classroom, will carry their share of committee responsibilities, will meet any clinical obligations, and will remain productively involved in their research and other scholarly or artistic pursuits. External activities including volunteer or pro bono work or compensated professional/commercial activities and outside consulting activity that compromise or diminish a Faculty Member's capacity to meet these obligations represent a Conflict of Commitment.

Each Faculty Member is to disclose any existing or potential Conflict of Commitment situation on an annual basis following procedures established by the school in conformity with this Policy.

Edited: Comments received since committee meeting from Beth McGee, Faculty Diversity Officer

I am concerned for those in the arts who may need to commit themselves to artistic endeavors during the teaching year (many professional artistic organizations go on "hiatus" during the summer months). Those in the arts MUST participate in national and international collaborations (some of which may take up to two months) to earn tenure and promotion. I have no problem in theory to negotiating such pursuits with department chair or dean, but in the past it has occurred that pre-tenure faculty members were not allowed such activities, because that particular chair decided s/he "needed them to teach." Obviously, this can be detrimental to an untenured professor's ability to achieve the national/international status needed for tenure and promotion. All chairs/deans should have the professional development of their faculty as a high priority, but this is not always the situation. I suggest that we add language that says something like "departments in schools where activity during the teaching year is necessary for tenure/promotion should create procedures for how such activity is planned and approved?"

### **F/S EC Agenda Item 8. Openness of Research**

In November, 2006, the Research Committee received a charge from the Executive Committee to consider developing a statement of policy on openness in research for CWRU and to report back to the Executive Committee in a timely manner.

Background (from E/C): Many universities have policies governing the openness of research performed by members of the university community. Particularly, these indicate that members of the

university community should be free to publish in open venues the results of their work. CWRU does not have such a policy, which puts us at odds with many of our fellow institutions. There may be circumstances that require members of the university to engage in research that is not open. A CWRU policy could have exceptions under special circumstances.

The Committee on Research has examined a number of policies and statements, including: MIT's white paper exploring the issues, <http://www.ors.duke.edu/ors/policies/publicinterest.pdf>, information on export controls: <http://www.spo.berkeley.edu/Policy/exportcontrol.html>, and several model policies: <http://www.spo.berkeley.edu/Policy/ucmemos/publish.html>, <http://research.wustl.edu/WU%20Openness%20Policy%2007%202005.htm>, <http://web.mit.edu/policies/14.2.html>, [http://www.provost.duke.edu/pdfs/fhb/FHB\\_Chap\\_5.pdf](http://www.provost.duke.edu/pdfs/fhb/FHB_Chap_5.pdf) section 5.2.7.

The Committee concludes that there is a need for a general statement about openness of research, academic freedom, and the free exchange of ideas as important aspects of the CWRU research environment. Undertaking classified research or agreeing to long delays in publication are not consistent with such a research climate. We have drafted a statement of policy, based on the policy at Washington University, which has granted us permission to adapt their statement.

## Policy on Open Research and Free Dissemination of Ideas and Information

### Draft

Case Western Reserve University (CWRU) is committed to maintaining a teaching and research environment that fosters the creation and dissemination of new knowledge. Essential to this mission is a policy of open research that promotes academic freedom and the free exchange of ideas. An environment of openness ensures the progress of research in all disciplines at CWRU. It is the policy of the University, therefore, not to undertake classified research with security clearance requirements or research activities, including student theses and dissertations, that involve restrictions on the publication and dissemination of research results. Provision may be made for a short delay in the publication of research results, normally not to exceed 90 days, for patenting purposes or for sponsor review of and comment on manuscripts. CWRU will also not undertake research that would prohibit foreign students, scholars, staff and faculty from participating in intellectually significant portions of educational and research activities on campus.

In rare instances the pursuit of knowledge may involve critically important areas of science and engineering and that are restricted, for example, by national security reasons. In such cases, when the principles of openness must be balanced against the best interests of society, exceptions to this policy are allowed but must be approved by the Provost after consultation with the department Chair and the Dean of the appropriate school.

CWRU values and fully supports all of the many activities of our vibrant research community. Through this policy, the University affirms its commitment to providing an environment where scientific discovery, innovation, and exchange can occur freely and without bias.

**F/S EC Agenda Item 9.** By-Laws Committee recommendation on Budget Committee Membership Proposal

Proposed Wording of Amendment to the Faculty Handbook.

Chapter 2, Article VI, Sec. C, Par. 1 of the Faculty Handbook shall be amended as follows:

Par. 1. The Budget committee shall consist of one voting member elected by each constituent faculty Budget Committee for a term of not less than two years, three members of the University Faculty at-large, at least one of whom must be an elected member of the Faculty Senate, the chair of the Committee on Faculty Compensation *ex officio*, and such additional members *ex officio* as shall be specified in the Faculty Senate by-Laws. The at-large members shall be elected to serve overlapping three-year terms. One of the at-large members shall serve as the chair of the Budget committee. Should the terms of senatorial members of the Budget Committee extend beyond their terms as members of the Faculty Senate, they shall complete their committee terms as non-senatorial members.

Current language:

Par. 1. The Budget Committee shall consist of six voting members of the University Faculty, at least three of whom must be elected members of the Faculty Senate, the chair of the Committee on Faculty Compensation *ex officio*, and such additional members *ex officio* as shall be specified in the by-laws. Members of the committee shall be elected to serve overlapping three-year terms. Should the terms of senatorial members of the Budget Committee extend beyond their terms as members of the Faculty Senate, they shall complete their committee terms as non-senatorial members.

Chapter 2, Article VII, Sec. A. of the Faculty Handbook shall be amended by the addition of:

Par. 5: Each constituent faculty shall have a Budget Committee. The regular members of each Budget Committee shall be selected from among the University voting faculty of that constituent faculty by direct election or by appointment by a directly elected body of that constituent faculty. In addition, each Budget Committee may include additional members *ex officio* as needed.

**F/S EC Agenda Item 10.** Memo sent via e-mail 3/5/07 10:27 a.m.

The Faculty Senate Budget Committee (FSBC) is charged by the Faculty Handbook with several roles. Among these, it is stated that

The Budget Committee shall advise the Faculty Senate on the financial feasibility of the University's current and planned education programs, activities, and facilities, and their effect on the operating budget, capital requirements, and financial health of the University. The Budget Committee shall also advise the Faculty Senate on budgetary questions as they affect current and planned educational programs, activities, and facilities.

In these capacities in particular, the FSBC would much prefer to regard itself as the servant of the Faculty Senate, and the Executive Committee (FSExCom) -- providing advice about proposed programs/initiatives/etc. when asked. That said, the language of the charge is prescriptive -- the FSBC is required to provide this advice.

The FSBC would therefore like to call the attention of the FSExCom to what seems to be a pattern of not seeking the advice of the FSBC on the financial impact and feasibility of initiatives which have significant financial impact. In particular, we call attention to the following examples:

- 1) The recently passed proposal of the graduate studies committee on fellowship courses
- 2) The activities of the library and IT committees to propose new allocation formulae for library and IT
- 3) The proposed library initiative

4) The "meaning of tenure" process.

5) The November revision of the criteria to determine faculty eligibility for certain benefits.

In each of these cases, there could be considerable costs or financial risks associated with these activities, and yet the FSBC was not consulted. We urge the FSExCom, as the gate keeper for such initiatives to the Senate and to the Faculty, to consider carefully the advisability of moving initiatives forward, or allowing them to develop to advanced stages, with little or no consideration of the broader financial implications by a Senate committee (as opposed to by the associated administrative office).

Paul Gerhart, David Hutter, Kenneth Ledford, Edith Lerner, Shirley Moore, Kenneth Loparo, Glenn Starkman (Chair)

**F/S EC Agenda Item 11.** Three Reports from the Minority Affairs Committee

Attached to the e-mail

**F/S EC Agenda Item 12.** Slate of Candidates for Election from the Nominating Committee to be sent later.

CASE WESTERN RESERVE UNIVERSITY  
Faculty Senate  
Executive Committee  
Minutes of the Meeting of March 20, 2007, 9 - 11 a.m.  
Room 352 Adelbert Hall

Committee members in attendance

Jay Alexander	Kathleen Kash
John Anderson	Edith Lerner
Dominique Durand	David Matthiesen
Gregory Eastwood	John Orlock
Lynne Ford	Robert Salata
Julia Grant	E. Ronald Wright

Also in attendance

Eric Cottington, Associate Vice President of Research  
Arthur Huckelbridge, Chair of the Faculty Personnel Committee  
Carol Musil, Chair of the Research Committee  
Ram Nagaraj, Member, Minority Affairs Committee

The meeting was called to order at 9 a.m. by Professor James Alexander, Chair of the Faculty Senate. E. Ronald Wright will give the Executive Committee report at the next Faculty Senate meeting on March 27<sup>th</sup>.

**Approval of Minutes**

The minutes of the previous meeting on February 19<sup>th</sup> were not ready for distribution or approval.

**President's Announcements**

Gregory L. Eastwood, M.D. said that the discussion of the salary and tenure issue has gotten the attention of the trustees who would like some clarification and to know more about the financial implications of this. He, Provost Anderson, Jeanine Ornt and Hossein Sadid will be in close communication with the new ad hoc committee. As President Eastwood speculated on the options and obligations. Communication with the trustees from the faculty should be through the Senate chair who is a member of the Academic Affairs and Student Life Committee.

The unique situation for the faculty in the School of Medicine who have two income streams was again mentioned. Interim Dean Pamela Davis has appointed Professor James Kazura to take up the discussion anew and he will also co-chair the Faculty Senate's ad hoc committee with Professor Sandra Russ.

President Eastwood commented that though the extra holiday given to staff for spring break was very much appreciated by many staff members and faculty, some faculty feel that there should have been more planning and consulting with the Senate prior to any decision and announcement.

**Provost's Announcements**

John Anderson reported only continuing discussion on the budget process and working

our way to financial health. Undergraduate tuition income looks strong; graduate student tuition depends more on research grants. All are working very hard to bring in the next undergraduate class near the target but it is still too early to tell the outcome. Faculty contacts are very important for a successful outcome. There were other comments on the more positive feedback we are getting from prospective students. Provost Anderson still would like to increase the applicant pool, and suggested more foreign recruiting. It was noted that giving undergraduate students opportunities in research and to work with graduate students has a very positive effect. Provost Anderson noted that Sheila Pedigo has been doing a very good job with the undergraduate research connection through the SOURCE Office.

### **Chair's Announcements**

Professor Alexander said that he had hoped for more direct communications with the trustees on the tenure and salary discussions. The ad hoc committee has met twice and two additional members have been added to enhance communications.

There is nothing more to report at this time on the possibility of a bid for a presidential debate.

### **Approval of Name Change for Major/Minor to Religious Studies**

Chair Alexander noted approval last year for a name change for the Department of Religion to the Department of Religious Studies. The same name change for the undergraduate degree should have been specified at that time. MOTION to approve was unanimous. The appropriate authorities will be so notified of this official approval for the change.

### **Proposal on Voting Privileges for SAC Chair**

This item could not be discussed at this time as suggested new wording for the Faculty Handbook and the Senate Bylaws has not yet been prepared though it may be ready in time for the Senate meeting agenda this month.

### **Faculty Personnel Committee Report on Conflict of Commitment Policy**

Chair Art Huckelbridge reported that his committee had responded to their charge to discuss this policy proposal brought to the Executive Committee a few months ago by Eric Cottington of the Research Office. Suggested language, presented with the agenda, is somewhat less restrictive than the policy from the School of Medicine, though there is room for any school to modify the policy. It was agreed that this proposed text would be sent to the Office of Counsel for review and then to the By-Laws Committee. It is hoped that it will be ready to be returned to the Faculty Senate this academic year.

The Faculty Personnel Committee had also been charged with a review of the appropriate sections of the new University Hospitals handbook as it applies to the School of Medicine clinical faculty. Chair Huckelbridge reported that he has spoken with Jeanine Ornt and that this document is still in the process of being written and refined. Concern was expressed that if faculty can only see a completed document then the opportunities for input and faculty perspective are limited. It is hoped that Ms. Ornt would continue to consult. Concern also that School of medicine faculty are being asked to commit to a policy which is not complete.

It was suggested that the SOM Faculty Council be asked to name a faculty member who could be part of this consulting process. [Professor Michele Walsh has been so named.]



### **Research Committee Report on Openness of Research Policy**

Chair Carol Musil and Eric Cottington reported on the charge given this committee to develop a policy for CWRU. The proposal presented with this agenda is based on a policy in use at Washington University which they have given permission for us to use. Though the committee has spoken in general with the Office of Counsel, this proposal will be sent for specific review and comment, with the hope that it too will be able to come before the Faculty Senate this academic year.

In response to questions and concerns about restrictions on our current and future research because of government and security regulations, Eric Cottington said that we have been able to claim exemption, or we do not accept such research. Professor Salata endorses these suggestions but also said that the research committees from the School of Medicine and the School of Engineering, if they have one, be asked to review this prior to seeking the review of Counsel. Mr. Cottington will do so.

### **Report of the By-Laws Committee on Revisions to Membership for the Budget Committee**

Chair Alexander reported for Chair Christine Cano. The proposed text, attached to the agenda, has the endorsement of the By-Laws Committee and the Budget Committee. All approved the motion to be placed on the March Senate agenda.

### **Discussion of Memo from Budget Committee on Role of Advice and Oversight**

The memo attached to the agenda dated March 5, 2007 outlines five points where the Budget Committee, according to its charge in the Faculty Handbook, should have had opportunity to consult and comment on the potential budgetary impact. Chair Alexander will respond per the discussion taking place at this meeting. He noted that a Budget Committee member has been added to the ad hoc Tenure and Salary Committee.

### **Report of the Minority Affairs Committee**

Professor Ram Nagaraj represented the committee on three statements being brought by to the Faculty Senate meeting in March for broad discussion. Proposals may be brought the following month for a vote. The first is a proposal for language in the university policy of non-discrimination regarding respect for diverse beliefs and values; the second is a proposal for an Office of University Ombudsman; and the third is a proposal to modify the university's policy on sexual harassment. All text was included with the agenda. The discussion was mainly on the proposal for an office of university ombudsman, whether there existed already those safe guards, and the budgetary impact of a new office. The committee was asked to make some modifications on their proposals which are to be discussed at the March Faculty Senate meeting.

### **Report of the Nominating Committee**

Chair Robert Salata reported that the committee has been working on principles of balance in discipline and rank; they believe there is gender equity on the committees presently. He further said that the Nominating Committee membership represents all schools and that they have met in person three times and have continued to work and report to fill the openings on all committees. Committee chairs were consulted on the activity level of all current members eligible for second terms. All faculty were sent an interest survey; schools deans were urged to recommend faculty and the committee members also solicited interest from their colleagues to serve on committees. The past service record was also a resource for names of faculty who had

served previously.

The Nominating Committee is recommending that constituent faculties hold their elections for senators earlier in the academic year - by December 31<sup>st</sup> - so those newly elected senators would also be eligible to serve on the Executive Committee or on committees requiring elected senators as part of their membership.

The Minority Affairs Committee membership was reconstituted a year ago and the Nominating Committee is requesting permission to stagger the end dates of some of those terms to allow for overlap and continuity of membership. [This was agreed to and two members have volunteered to serve an extra year on their current terms.]

The individual committee slates were reviewed and suggested requested where there were still openings for some disciplines - the Faculty Compensation Committee, the Faculty personnel Committee and the Executive Committee. There are two candidates for chair-elect.

The slate of candidates will be presented at the March Senate meeting along with a call for any additional nominations from the floor. The electronic ballot will be prepared and sent out during April so that results can be announced at the April 26<sup>th</sup> Faculty Senate meeting.

### **Report on the Senate ad hoc Committee on Pandemic Flu**

Past Senate Chair Ronald Wright, chair of the ad hoc committee, promised a year-end report at the April Senate meeting. He said that this committee was formed to work as advisory to the university committee which is meeting regularly and is chaired by Deputy provost Lynn Singer.

### **Approval of Faculty Senate Agenda for March 27<sup>th</sup> Meeting**

Approved as modified by above actions and subject to necessary consultations being completed.

The meeting was adjourned.

Lynne E. Ford  
Secretary of the Faculty Senate