

**Faculty Executive Committee (FEC)
Meeting**

October 13, 2009

3:00-5:00pm

Corporation Room, University Hall

Minutes

Present: Chung-I Tan, Chair; James Dreier, Past Chair; Susan Allen, Cynthia Garcia-Coll, Lina Fruzzetti, Thomas Lewis, Philip Rosen, Gabriel Taubin

Guests: Russell Carey, James Green, Harriette Hemmasi, Beverly Ledbetter

The meeting was called to order at 3:06 p.m. Minutes of the 9/29/09 meeting were approved.

Professor Tan gave a chair's report. The FEC officers and Provost discussed the Faculty's concerns expressed at the Oct. 6 faculty meeting about the composition of the new ad hoc Committee to Review Tenure and Faculty Development. Faculty feels it is not diverse in its faculty membership. The Provost is open to ideas and has asked an associate professor who recently became tenured to sit on the Committee. The faculty forum on tenure scheduled for November 17 will offer other faculty an opportunity to provide input. Prof. Tan welcomes suggestions from the FEC on how to make this forum a successful and useful tool. If the NEASC report has not been released by the November faculty forum, discussion will be focused on the charge for the ad hoc Committee. It's possible that some portions of the report will be in a position to be released by then. This needs to be clarified with the President. The ad hoc committee will be meeting with many groups including the FEC and Committee on Faculty Equity and Diversity (CFED). The FEC decided it would be productive to meet with the junior faculty prior to the November 17 forum so they will have their input about the ad hoc Committee. A new proposal to expand the Division of Engineering to a School of Engineering will be coming to the Academic Priorities Committee (APC) soon after which it will reach the FEC. How will it affect the character and finances of the University? Professors Tan and Dreier recently met with Controller Donald Schanck about the possibility of reinstating the use of per diem rates for meals when claiming domestic travel expenses. He is willing to discuss this with the administration. The federal per diem rates are high. Perhaps Brown can come up with its own lower per diem rate. Someone from outside the University requested to speak with the FEC about concerns regarding the University's decision to change the name of the Columbus Day holiday to Fall Weekend. There is a designated faculty member who can speak with this individual.

Prof. Tan has offered to send a bulk email announcement to the Faculty when the Conflict of Interest form has been posted to the OVPR's web site to get faculty's

feedback. Prof. Tan will be contacting Prof. Diebold about the FEC's decision not to adopt the changes to the Research Advisory Board's charge that he had proposed to FEC last academic year.

VP Russell Carey and Beverly Ledbetter, General Counsel, joined the FEC for discussion about a motion to add language to the Faculty Rules and Regulations specifying a procedure for the dismissal of a member of the Faculty. Although dismissal cases do not come up very often, it is better to have something in place than to not. The proposal was presented at the May 5 faculty meeting last spring. Enough concern was voiced by the faculty at that time to postpone the motion until this academic year, and the matter was put back in the hands of the FEC. Faculty had voiced concern that the use of the word "University" in the last paragraph of II.I. B. Procedures Governing Dismissal of a Member of the Faculty is not clear. To clarify this, it now reads "University Administration". In the draft of the proposal discussed at the May faculty meeting, in Paragraph 2, causes for dismissal were bulleted. The bullets were removed and the language included as part of the paragraph, which now reads as follows:

"2. Adequate cause for dismissal of an individual during either a term appointment or tenure refers to: demonstrated incompetence which substantially impairs the individual's fulfillment of institutional responsibilities; dishonesty in teaching, research, scholarship, or other academic responsibilities; substantial and manifest neglect of duty; personal conduct which substantially impairs the individual's fulfillment of institutional responsibilities; or illegal activities which have a substantial negative impact on the University's operations or obligations."

The FEC had questions about the phrasing of "dishonesty in teaching, research, scholarship, or other academic responsibilities; substantial and manifest neglect of duty; personal conduct which substantially impairs the individual's fulfillment of institutional responsibilities;" and also about the phrase "substantial negative impact". Ms. Ledbetter assured them that this language is accepted as standard legal substantiality. The Dean of Medicine and Dean of the Faculty have seen the revised proposal. The revised motion for dismissal procedures will be presented at the November 3 faculty meeting.

VP Carey then brought proposed procedures governing appeal of a finding of sexual harassment by the Provost to the table for discussion. The intention of the proposal is to clarify the Faculty Rules and Regulations and has been vetted with the Committee on Grievance. Grievance procedures existed in the Faculty Rules approximately seven years ago and were stricken when the Committee on Grievance was created and charged with the review process. Ms. Ledbetter cautioned the FEC about moving too quickly on this. The sexual harassment procedures should be carefully considered because there is a lot of outside interference by lawyers where sexual harassment cases are concerned. Brown can keep lawyers out of the hearing process but cannot keep them from filing all kinds of law suits. The procedures must be well-articulated and something the faculty and the University feel they can live with. Discussion ensued with regard to various scenarios of appeals processes whereby it was determined that the sexual harassment procedures will

go back to the Committee on Grievance for further review. The FEC will revisit the proposal with VP Carey and Ms. Ledbetter after that.

The new Vice President for International Affairs, Matthew Gutmann, was pleased to be able to share his vision of globalization with the FEC, how Brown will reach out to the world as well as the world coming to Brown. Ten percent of the University's student body is from other parts of the world, and VP Gutmann will be looking at the aspect of admissions. We need to build on the strengths that Brown faculty already have and work on more strengths in other areas of the world such as China and the Middle East. VP Gutmann will be developing international studies and advising for this, which he has been discussing with Dean Bergeron. The FEC is invited to meet with him individually for feedback in these areas.

Prof. James Green, Library Advisory Board vice chair and Ms. Harriette Hemmasi, University Librarian, are leading the ORC Library Team consisting of two faculty members, one graduate student, Assistant Provost Shelley Stephenson, library staff and one staff member outside the library. This special team is charged with trying to find ways to meet some of the economic challenges of the Library and to make things work better. They explained how the Library advances intellectual experiences, which is so important and talked about traditional resources and services vs. electronic and digital services, dual functions of the library. Faculty support and interest in the ORC Library Team's work is important to them. They are tasked to think about ways to cut staff. Although some staff cuts may be necessary, other library staff using the traditional resources and providing traditional service could be trained in electronic and digital services to more efficiently serve faculty and students. There would be a long-term adverse affect on Brown to cut collections. Importance of accessibility of resources was discussed. It's easier for the University to look at the parts of the University that have the largest budgets to make cuts. Brown must look at all areas. Does the ORC Library Team have to appeal only to the URC or are there other avenues? What are the real needs of the Library? If the FEC could write a letter of support for the Library stating faculty's immediate and on-going needs, it would make an impact on their decisions. Cuts in the Library could have a serious, long-term negative impact on the University including not be able to retain junior faculty who may not have the resources they need. Many people may not understand the framework of the cuts, not seeing the big impact; only that some staff may be cut. No new money has come to the Library. How can Brown be recognized as an international research university if it cuts its Library resources? Prof. Green reiterated how important it is for the FEC to raise this issue with the Faculty. Faculty need to pay attention to this.

Prof. Tan continued with his chair's report. The FEC officers are meeting with the Provost's Agenda Committee for Department Chairs to find ways to engage more faculty in faculty governance. It was suggested that divisions be grouped into those who participate the least in faculty governance. Smaller departments may feel they need to participate more where larger departments have more of a sense of belonging because they are part of a larger unit. We should stop discouraging junior faculty from participating in faculty governance. They should be encouraged to participate in

committee work but on committees that do not demand too much of their time. The FEC feels it is a good idea appealing to the department chairs.

The meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Cheryl A. Moreau
Secretary