

Northwestern University  
Minutes of the Faculty Senate Meeting  
Library Forum - Evanston, Wieboldt 421 - Chicago  
May 4, 2011

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Paul Arntson, Chair of the Faculty Senate, called the meeting to order at 5:05 pm. There were 54 of 88 members in attendance, with 42 attendees in Evanston and 12 in Chicago.

**1. Welcome by Paul Arntson, chair.**

Paul Arntson welcomed everyone and highlighted several important agenda items.

**2. Approval of the minutes of the March 2, 2011 Faculty Senate Meeting**

The minutes of the March 2, 2011 Faculty Senate Meeting were approved unanimously, with three minor changes to Paul Arntson's bio information. Senators were asked to send additional changes, if any, to Diana Snyder the Faculty Senate Administrative Coordinator.

**3. Committee Reports**

Paul Arntson asked each Chair to give a committee report, and set extended time limits for important issues.

**Benefits:** Chair David Ferster thanked everyone for responding to his recent query. He reported that the Benefits committee was able to cover almost every topic that was sent in, so he briefly went over all of the items that were discussed. (1) Increased discounted rates for membership to the Sports Pavilion and Aquatic Center will most likely not be possible due to tax liabilities and complications associated with this type of benefit. (2) Currently there is a Roycemore School benefit. It is only provided by Roycemore as a discount to the Northwestern community, but this discount is not at all funded by NU. The NU Benefits department will look into other secondary schools in the area, particularly in the Chicago area, that might be interested in a similar arrangement. (3) When an individual gets a National Research Service Award (NRSA) they are no longer a Northwestern University employee and all benefits are lost. There is, however, a new procedure in place to aide post-docs. (4) There is a new retiree health care benefit package, which is less expensive and does a great job of covering costs that Medicare does not. (5) Although parking is not in the purview of the Benefits Department, they will look into a sliding scale parking fee plan similar to the one offered on the Chicago campus. (6) The YMCA program is still in place, but Childcare has remained an issue for the University. The Women Faculty Organization (WFO) will take up the issue and the Benefits Committee will follow their lead in supporting the initiative. (7) When compared to peer institutions, NU Tuition Benefits remain in the middle, but it is a benefit that is slowly increasing over the coming years. The Tuition Benefits Plan costs the university twelve million dollars a year. This is a great

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benefit and also a great tool for recruitment. The Benefits department will provide additional information and statistics on who takes advantage of the benefit and other relevant data.

Chair Ferster stated that there has been a lot of progress thanks to the predecessors who served on the General Faculty Committee Benefits sub-committee. Additionally, the Human Resources administrators are willing to give the Faculty Senate Benefits Committee more information, including upcoming changes for the November sign-up period.

**Research Affairs:** Chair Jim Kyriacou reported that the Research Affairs committee has had two productive meetings and established two main goals, which are to find out what the main issues are with regard to conducting superior research at Northwestern, and to create a questionnaire/survey for the Faculty Senate. As a first step in accomplishing these goals, the committee sent out a general question to the Faculty Senators asking them what the main issues are with regards to conducting research. Many great responses came in, which will be compiled together and used to create a standardized questionnaire to send out to the entire Faculty Senate with the goal of trying to identify the most important issues related to research. The responses fall into four major categories: lack of time, lack of funding, layers of approval, and statistical support. Someone from the Faculty Senate has graciously offered to help the Research Affairs committee create the questionnaire in a very standardized way using a formal survey method and software program. Chair Kyriacou asked Senators to send in additional comments and suggestions in the next few weeks.

**Faculty Rights and Responsibilities:** Chair Wes Burghardt reported on the recent case involving Professor David Protess and the details surrounding his situation. At the request of Professor David Protess, the Faculty Rights and Responsibilities (FRR) initiated an inquiry into the decision of Medill Dean John Lavine to remove Protess as the instructor of the Investigative Journalism class that Protess had been scheduled to teach during the spring quarter. Committee members have met with both Professor Protess and Dean Lavine and appreciate their cooperation. The AAUP has written letters to the NU administration expressing concern over this action, but the committee has not seen the NU responses.

There are several disturbing factors in this case that may be of intrinsic concern from a faculty perspective. First, on April 6 the University issued a press release that included the following statement: *“Medill makes clear its values on its website, with the first value to “be respectful of the school, yourself and others - which includes personal and professional integrity.” Protess has not maintained that value, a value that is essential in teaching our students. That is why Medill Dean John Lavine has assigned the course to another faculty member this quarter and Protess is on leave.”* This statement levels a charge that amounts to academic misconduct (a lapse of ‘professional integrity’), and explicitly states that this was the cause for Protess’s removal from his Spring Quarter teaching assignment. As a matter of principle, actions of this nature should more appropriately fall under the domain of ‘University

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Disciplinary Procedures' (*Handbook* pp. 28 – 31) rather than a Dean's administrative authority over teaching assignments (p. 10). Second, there is very close interplay between Professor Protes and activities as an instructor of the Investigative Journalism class and his broader scholarly pursuits that included (prior to his Spring Quarter leave) directing the Medill Innocence Project. Protes's removal from his previously assigned Spring Quarter course thus constituted a more severe action than simply being told to take a quarter off from teaching. Third, in the April 6 press release, the University publicly levied allegations of misconduct, and revealed specific evidence supporting those allegations using a mechanism that is intrinsically one-sided. The committee questioned whether such a public airing of grievances against a faculty member is a productive use of Northwestern's public relations apparatus, and are concerned that the disclosure of evidence in this way may undermine Professor Protes's rights should more formal proceedings (such as those outlined in the *Faculty Handbook*) be initiated in the future. Finally, taken at face value, the language on p. 10 of the *Faculty Handbook* implies unlimited authority of Deans and Chairs to withhold teaching at their discretion. Dean Lavine argues that his actions in this case were narrow and specific. Where, however, is the line drawn? How many quarters of withheld teaching duties would constitute 'suspension'? Who draws this line?

Faculty Senate members discussed, in great detail, the Protes case and presented many opinions and ideas. A motion was made and seconded charging the Faculty Rights and Responsibilities Committee (FRR) to draft communication to the administration outlining the principles that were discussed and asking the administration to formally respond to the FRR Protes report. Faculty Senate members voted and the motion was passed.

Members of the Faculty Right and Responsibilities committee gathered all the Senators' comments and met immediately at the conclusion of the May 4<sup>th</sup> meeting, drafting the following resolution which was first sent to the Faculty Senate for approval and then to the administration.

***Resolution Concerning Due Process:*** *The Faculty Senate affirmatively supports academic freedom and due process. The Senate notes with deep concern the possible violation of the due process rights of Professor David Protes. We request a prompt response from the University administration to the substantive issues raised by the attached report of the Faculty Rights and Responsibilities committee.*

***Social Responsibility:*** Chair Joshua Hauser and Professor Martha Biondi reported on the details and progress of the living wage campaign. The following motions were made and seconded and the floor was open for discussion and debate.

**1)** *The Faculty Senate resolves that it is in the collective interest of the Northwestern community – administrators, faculty, staff, and students – to ensure a living wage for all of its workers, including*

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*subcontracted workers. A living wage allows workers to afford basic costs of housing, child care, food, transportation, and health care.*

**2) The Faculty Senate calls on the University administration to convene a committee composed of administrators, faculty, staff and students to create and implement a plan to ensure a living wage for all of Northwestern's workers, including subcontracted workers.**

After the discussion, Paul Arntson called the vote on the motion. Faculty Senate members voted and the two motions were passed. The Social responsibility Committee was charged with following up with the administration to ensure that a committee is set up and to ensure the committee has Faculty Senate representation.

**Cause:** Chair Bob Wallace reported that two committee members have stepped down, creating vacancies that need to be filled right away. He asked for tenured volunteers who would be interested in joining the committee, and one Senator stepped forward. An email will go out to the Faculty Senate to solicit the additional Cause committee member.

**Faculty Handbook:** Paul Arntson reported that Chair John Elson indicated that a complete Faculty Handbook draft will be available shortly in response to the university, and then the committee will start negotiating with the university to finalize the document. If negotiations are completed in a timely manner, there will be a reading of the document at the June 1, 2011 Faculty Senate meeting, with a second reading at the October 2011 meeting. If there are prolonged negotiations, the first reading will take place at the October 2011 Faculty Senate meeting, with a second reading at the December 2011 meeting. In any case, it is imperative that all Senators take the finalized Faculty Handbook draft back to their departments, since this is a critical contract that will affect the entire faculty body.

**Governance:** Paul Arntson asked Faculty Senate members to review the report on having Senate meetings every other month and instituting on-line deliberations and voting and to be prepared to vote at the June 1, 2011 meeting.

#### **4. Chair's update on the placing the Articles of Authorization for both the Faculty Senate and the University Faculty Assembly into the University Statutes**

Paul Arntson and Babette Sanders met with the administration to ensure that the current Articles of Authorization for both the Faculty Senate and the University Faculty Assembly are added to the official University Statutes. Administrators have agreed to present the final document to the Board of Trustees at their June meeting.

A motion was made and seconded to *tell the administration that the Faculty Senate would like the current version of the Articles of Authorization for both the Faculty Senate and the University Faculty Assembly to be placed in the University Statutes.* Faculty Senate members voted and the motion was passed.

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## **5. Election procedures for committee chairs and electing a third of the Senate**

Paul Arntson reminded all Senators who were appointed to a one year term that their term is ending. He asked Senators to alert their respective department or school that an election needs to take place by the end of Spring quarter. Chair Arntson encouraged exiting members to consider running for an additional term, which would include fiscal years 2012, 2013 and 2014.

Paul Arntson asked all committee chairs to have someone nominated, by the June meeting, for the position of chair of their respective committee for fiscal year 2012. Senators who are currently serving as chairs and wish to continue next year may do so.

## **6. New Business**

**-First Assembly Meeting:** The tentative plan is for the first meeting of the Faculty Assembly to take place sometime in November 2011.

**-Provost Invitation to attend FS meeting:** The Faculty Senate plans to invite Provost Linzer to an upcoming meeting.

## **7. Adjournment**

The meeting was adjourned at 6:56 pm.