

## DRAFT MINUTES OF APRIL 4, 2003 UFC MEETING

The meeting was called to order at 12 p.m.

**Present**: Ralph Brill, Howard Chapman, Liam Coffey, Howard Eglit, Sheldon Mostovoy, Phil Nash, Greg Prygrocki, George Schipporeit, Phil Troyk, Michael Young

**Absent**: Joel Goldhar, Ken Noll, Jay Schieber, Miles Wernick

Guest: Allen Myerson, Ken Schug

1. Proposed addition of the rank of professor of appellate advocacy to Category II of the Faculty Handbook, at page 7. In fact there has been a person occupying this position for a number of years at the Law School. Somehow, when the Handbook was being revised in the past, this particular job rank slipped through the cracks. So to correct this gaffe, Howard Eglit proposed amending the Handbook to reflect reality. He moved that the job slot be designated as a Category II position, given that the person who has held this position (and is leaving it at the end of this school year) has held it for six years - a term which exceeds that permissible under the Category III designation. Admittedly, Prof. Eglit acknowledged, that fact accomplishes does not dispositively establish that the job slot should be designated as a Category II position, but it is evidence of the fact that in the law school this position is regarded as a long term one. The proposed amendment thus reads as follows::

### **Professor of Appellate Advocacy**

The professor of appellate advocacy is responsible for supervising the extensive appellate advocacy program conducted at Chicago-Kent College of Law - a program that involves student participation, through the Moot Court Honor Society (as well, possibly, through other organized efforts), in a number of moot court competitions both within the law school and nationally, at other venues. The professor of appellate advocacy is an individual who has demonstrated excellence in both oral and written advocacy, and who further has the skills to manage a significant program within the law school that involves the participation of numerous students, as well as practitioners who serve as advisors and moot court judges from time to time.

Appointment to the rank of assistant, associate, or full professor of appellate advocacy carries no implication of tenure or continuing connection with the university. The initial appointment is made by the dean, following a vote by the faculty as to the faculty's recommendation to the dean regarding the appointment. Generally, the term of the initial appointment is of two years' duration. Subsequent appointments shall be for terms of from one to five years, as determined by the dean of the law school and in light of the recommendation of an ad hoc committee appointed by the dean. An individual may be promoted to a rank higher than that of his or her initial appointment, upon recommendation of an ad hoc committee appointed by the dean of the law school.

The proponent of the proposal, Prof. Eglit, explained that he was only asking for a sense of the Council, inasmuch as the proposal had not been adopted yet by the law school faculty. Discussion was had and the sense of the Council was that it was unwise to place into the Faculty Handbook individual titles specific to individual job slots. Thus, the members of the UFC did not want to add specific language for this particular position. However, the sense of the Council was that there was no problem in such a job slot being framed in the law school as a Category II position, so long as its designation fit within the existing terminology of the Faculty Handbook, which designates as Category II positions "Clinical Professor," "Studio Professor," etc."

2. Provost Myerson made a presentation regarding various proposed changes to the Faculty Handbook.

A. Ranks, tenure and promotion. Currently an assistant professor gets 7 years and an associate professor 4 years. We cannot hire a full professor without tenure (e.g., based on industry status, performance, age & etc.) We do have a "Clinical/Studio Professor" rank in Category 2, but there is no equivalent in Engineering, Psychology or Social Science. We are asked to consider a title of "Industry Professor" for a long term "category 2" appointment. It was mentioned that other universities use the title "Practice Professor" for this rank for long-term appointment. We need a modification of the Faculty Handbook for this change. Provost Myerson suggested two variations on the non-tenured full professor appointment. One would involve appointments as to which there would be no intent that the individuals so appointed would come up later for tenure. The other would involve appointments that would entail the possibility of a tenure decision at some future date. At the suggestion of the Chair, it was agreed that this proposal would be discussed more fully at some point in the future

B. Provost Myerson recommended that we abolish the CAMCOPT's, given that there are now not separate campuses. Discussion was had, although the Chair made clear that more discussion would ensue at a later point and that for the moment the discussion was informational in nature.

It was discussed as to whether the system had to be the same for every college -- both those with departments and those without. The sense of the UFC seemed to be that it would be okay if in a college with departments there wound up being a three-tier process: Department COPT to College COPT to UCOPT, whereas in colleges without departments there would only be two tiers: COCOPT to UCOPT. No final decisions were made or final votes taken.

C. Provost Myerson suggests that the current 9-month payment plan at IIT is confusing, given that checks are issued on a 12-month basis. He proposed that salaries be paid in 9 months, and that he would undertake to discuss this issue with John Collins if the UFC was in favor of it. It was agreed, however, that as an initial matter UFC member Howard Chapman first would seek to take an e-mail survey of faculty members, asking them whether they would like to have the choice of being paid on a 9 month or 12 month basis..

D. The issue of the continuing existence of the Campus Faculty Councils was raised. Howard Eglit explained that in the proposed revisions of the Faculty Handbook, which are still being worked on, there is only a University Faculty Council contemplated and that there would be no Campus Faculty Councils. This issue will be addressed once the proposed revisions to the Handbook are placed on the Web and then considered by the UFC and the Faculty.

3. Adoption of resolution regarding transition to provost model. The university now uses a provost model, superseding the "two-campus, two campus vice-presidents" model. This change has necessitated a number of modifications in the Faculty Handbook, a task undertaken by Howard Eglit, Ellen Mitchell, Geoff Williamson, and Mary Anne Smith. Unfortunately, the process of drafting proposed modifications to the Handbook has turned out to be extensive and unexpected. For example, in some instances, the mere substitution of the word "provost" for the term "campus vice-president" could not be readily finessed. Another example: the reconfiguring of the University Faculty Council is necessitated by the abolition of the two-campus model and the eventual dissolution of the two campus faculty councils. Another example: in going through the various parts of the Faculty Handbook, defects became

apparent that - while they did not relate directly to the change to a provost model - could not reasonably be ignored.

The consequence of all this is that the task is not yet completed. In light of this fact, Howard Eglit proposed the adoption of a resolution calling for a process to deal with issues that may come up as a result of a conflict between the language of the existing Handbook and the reality of there being a provost in place. This process will be in place, according to the proposal, until we can get the changes in the Handbook finalized and adopted. The proposed resolution reads as follows:

"In the event of an ambiguity arising out of the language of the Faculty Handbook not reflecting the change to a provost system at IIT, such ambiguity shall be resolved by an ad hoc committee made up of the Chair of the University Faculty Council, the Provost, and the General Counsel of the University. Such ad hoc committee shall be utilized only to resolve ambiguities arising out of those parties of the Faculty Handbook that have not been modified to reflect the existence of the provost system."

An amendment was offered by Phil Troyk as follows: "The proposed revised Faculty Handbook shall be considered by the UFC at its first scheduled meeting in the Fall of 2003." Howard Eglit accepted the amendment as a friendly one, and the proposal, as amended, was unanimously adopted

4. Arrangements to conduct an election for Chair of the Faculty Senate - a now-vacant position, in accordance with Article X, section 4 of Appendix B of the Faculty Handbook. Mike Young agreed to handle the logistics of seeking nominees and conducting an election.
5. Proposal by Joel Goldhar to require all foreign students to take at least one course that explains the principles of liberty, democracy and capitalism and/or the United States society, government and economy, whatever the student's degree program. This issue was not discussed because of the absence of Professor Goldhar.
6. George Schipporeit raised some issues concerning the content of the Faculty Salary report, on which he and John O'Leary are working. Professor Schipporeit raised the issue of the Form 990 that is filed with the IRS by the university, and which lists the salaries of the five highest paid faculty members, as well as the salaries of high-level administrators. The question was whether to set out the names of the individuals in the report, or simply to note the availability of this information in a footnote. It was concluded that placing information as to the availability of the information was the better course to follow, with appropriate commentary -- such as commentary regarding annual pay increases -- as to such information being included in the footnotes. In any event, the Chair noted, the UFC will have an opportunity to review the draft report when it is completed, prior to its being published.
7. It was agreed that the next UFC meeting was not, but will be, scheduled.

A motion to adjourn being made and seconded, and the members unanimously of said motion, the UFC adjourned at 2:20 p.m.

Submitted,

Sheldon Mostovoy, Secretary