Minutes of Regular Meeting

Meeting
Regular meeting of the full senate, 3:15 p.m., Kendall Cram Room, Lavin-Bernick Center

Presiding: The chair, President Cowen.

Attendance
Ex Officio: Cowen (pres/chair), Langston (vice chair), M. Bernstein (provost), Lorino (CFO), Jones (COO), Cullen, (pres. ASB), Hayes (chair, SAC), Mackin (sec), Wiese (parl)

Deans: DeNisi (A. B. Freeman), Query (Libraries), Bernhard (Arch.), Marksbury (SCS), Ponoroff (Law), G. Bernstein (SLA), Altiero (SSE), Marks (SSW)

A. B. Freeman School of Business: Page, Cardinal

Newcomb-Tulane College:
Architecture: Klingman, Goodwin

Continuing Studies: Schwartz

Law: Nowicki, Diamond, Davies

Liberal Arts: Dangler, Masquelier, Carroll, Pollock, Balée

Medicine: Taylor, Phinney

Public Health and Tropical Medicine:
Hutchinson, Webber, Long

Science and Engineering: Sherry (proxy for Schmehl), Walker, Tasker

Social Work: Pearlmutter

Student Senators: Walker, Feng (proxy for Pillert), Beyerstedt

Staff Senators: Earles, Barrera

Senators at Large: Hill, Koritz, Purrington, Myers, Landry, Gaver

Invited Guests: Parker (chair, IT), Levy

(assoc sr VP, research), Dozier (VP, development), Retif (VP/Registrar), Barron (CIO), Maczuga (assoc VP, tech transfer), Cherrey (VP, student affairs), Johnson (gen counsel), Mitchell (assoc prov), Noble (for dir, public safety), Baños (chief of staff), Banker (spec asst to pres), Conwell (govt affairs)

Absent Senators: Sachs, MacLaren, Buckens, M. Sujan, Rothenberg, Green, Desai, Mushatt, Doucet, Diaz-Thomas, Bunnell, McSwain, Rose, Diebold, Lewis, Kelley, Kuczynski, Brancaforte

Introduction of New Senators and Guests
The president introduced a student guest, William Bell, who was the president’s shadow that day. President Cowen said he was also attending classes with Mr. Bell.

The president introduced the following new student senators:

Timothy Cullen, president, ASB
Margaret Walker, president, USG
Erin Beyerstedt, exec VP, GAPSA

Minutes
The minutes of the February meeting were approved without change.

Elections
Vice chair: No other nominations were made from the floor, so Hugh Long, who was nominated in the previous meeting, was elected unanimously.

Committee on Committees: Nominations were taken from the floor in open session. In a
closed executive session of faculty senators, the following senators or senators-elect were elected to the committee:

Kay McLennan (SCS)
Harish Sujan (Business)
Lev Kaplan (SSE)

Faculty representative to the board: Dan Purrington was elected.

**President’s Report**

President Cowen said he had given an extensive report to the Board of Tulane University on the progress of the renewal plan, but the report would take several hours to present. Considering the amount of business the senate had on the agenda, he said he would provide the slides from the report to the secretary for distribution to the senate. If the senate had any questions, he would discuss them at the next meeting.

The president then gave a brief report on the status of admissions. The total of applications was 34,000, more than twice the number from last year. He said he believed the increase to be the highest in the country. Most of those accepted came from the early action pool, and they were accepted by the end of December. Those who applied during the regular application period were, for the most part, put on the wait list. More than 2,000 students are on that wait list.

About 8,500 students were accepted, a quarter of those who applied. The administration had worked on the assumption that the yield would be lower than in the past. The president, however, had since come to believe the yield would be higher than assumed. He said that as of the date of the senate meeting, 577 students had sent in deposits. The highest previous total for that date was 503, and in that year the university ultimately enrolled 1,678 students.

The administration still hoped the size of the incoming class would be between 1,400 and 1,500 students. The final number, however, was out of its hands and in the hands of the students making deposits. The good news was the all-time high in numbers and quality; the only downside was the possibility of more students than anticipated. The president said he had asked the provost to develop contingency plans for 1,500, 1,600, and even 1,700 incoming students.

Registrar Retif added that his office intended to enforce the deadline of May 1 for deposits. The president said that the administration could not have anticipated the number of applications. Next year, different procedures would be used.

Senator Carroll asked what the differences would be. President Cowen replied that the administration would adjust the pacing of acceptances, so a smaller percentage of the class would be accepted by the end of December. He also said that the standards for merit aid would probably be adjusted upward.

On the issue of pacing, Registrar Retif noted that historically the university would accept 50 percent of its incoming class by December 15. In this last recruitment year, it had accepted 85 percent of the class by that date.

Senator Purrington asked why the number of applications had increased so dramatically. President Cowen answered that most of the selective universities across the country had an increase in applications of 25 percent. He cited three reasons for that increase: (1) it was a peak year for high school graduations; (2) more students were making use of the common application; and (3) since Harvard and others had eliminated early decision, students had to apply to more universities. The remaining 75 percent of the increase was attributable to the attraction of public service and civic engagement at Tulane, especially after Hurricane Katrina. The university had tapped into students with that kind of interest.

Registrar Retif confirmed that the student applications indicated a great interest in public service. He said the university also benefitted from increased visibility because of the publicity it had received since the storm.

President Cowen said the geographic and gender distribution were evenly distributed. Applications came from all across the country.

Senator Koritz asked about the diversity within the class. Registrar Retif responded that applications in all minority areas increased, including African Americans. Acceptances
among Hispanic and Asian groups were up, whereas the number of African American acceptances was no better than in past years. He said the number finally enrolled would probably be up slightly for Hispanics and Asians but down for African Americans. Those final numbers were yet to be determined.

The president was asked about housing. He said that the university could house a class of 1,600 or 1,700. Problems would arise if next year’s class were also that large. One area the administration could adjust would be the number of transfer students accepted.

The president said that prospects for the graduate and professional schools also looked good. Overall, he expected the new students to be, at least on paper, the best in the history of the university.

President Cowen said the searches for deans of the schools of Liberal Arts and Architecture were in their final stages. One dean should be selected within a week; the other in two or three weeks.

On financial matters, the president said he was working with the board to develop a strategy for fund-raising to follow up the recent successful campaign. He also noted that the university had recently settled another insurance case, this one with Lloyd’s of London. One other insurance claim remained to be settled. Recovery of funds from FEMA could take three to seven years.

President Cowen then entertained additional questions and comments. Senator Koritz asked if his slide presentation on the progress of the renewal plan included data on faculty salaries. The president replied that the report discussed the benchmark study and the action proposed to address faculty salaries but did not include the specific data.

Senator Koritz then asked whether that data would be released to interested faculty. Provost Bernstein said his office had notified the deans about the money going to targeted schools. Senator Koritz said she meant the actual data and analysis used. The provost replied that he had not planned to release the data. The analysis was used to determine the amount of funds to raise median salaries in four schools, Liberal Arts, Architecture, Social Work, and some areas of Science and Engineering.

Senator Koritz wondered why the data was not made public. Provost Bernstein responded that the data was publicly available. The data used was median salaries from the report of the College and University Professional Association for Human Resources (CUPA-HR). The CUPA data is available online.

President Cowen said he had one last item. The senate had inquired about the contractual status of the Faculty Handbook and asked the administration and the board for a response. He distributed a written copy of that response to the senate. The administration and board’s response was that the handbook was a “general guide to the policies and operation of the University. Louisiana law does not recognize faculty handbooks to be contracts.” For the handbook to become a contract would require rewriting into a “legalistic code,” which the board did not believe would benefit the university as a whole or the faculty. The board stated that “the University has complied with the Handbook post-Hurricane Katrina and fully intends to continue to comply with it in the future.”

Committee Reports

Committee on Athletics

The report had been distributed to the senate before the meeting. No appeals from student-athletes were heard. The committee was considering an invitation to membership in the Coalition on Intercollegiate Athletics (COIA) and would bring its recommendation to the senate at a later time. The report noted the opening of Greer Field at the renovated Turchin Stadium and the plans for renovation of Fogelman Arena.

There were no questions or comments.

Committee on Information Technology

Professor Parker gave a brief summary of the committee’s written report. He mentioned e-mail storage limits and passwords as items of faculty interest, saying that the storage limits would be
increased and that the issue of passwords was too complex to be easily resolved.

A major achievement that he highlighted was the development of a clear process for technology grants. That process recently resulted in funding a new portal system for library searches.

Professor Parker said Tulane’s IT expenses were 2 percent of the budget, while peer institutions had average IT expenses of 3.8 percent of their budgets. This raised the question of whether the IT mission at Tulane was narrower in scope or whether it lacked resources for its mission.

The security audit of Tulane by Indiana University indicated serious problems, Professor Parker said. He suggested that the university was 20 years behind the times in protecting social security numbers. That issue went far beyond Technology Services. Most offices have paper records of social security numbers. Unencrypted e-mails routinely include social security numbers. Resolving the problem will require support from across the university.

Senator Purrington asked if there were a way to synchronize passwords on the different systems, such as e-mail, RS-6000, and others. CIO Barron answered that the university’s major system covered e-mail, Blackboard, and other subsystems that were automatically synchronized. Other university systems required password changes in 30 days or 90 days. He said the problems involved in getting to a single sign-on were complicated, but his office was working on it.

Senator Purrington followed up with a comment about the Help Desk. He said that whenever he called he had to wait several minutes while the desk confirmed his identity. CIO Barron replied that the Help Desk staff had a database of Tulane employees that they checked. His office was trying to better automate the system, but it was an “evolving problem” and any feedback was welcome.

Committee on Physical Facilities

Senator Klingman touched on a few points in the committee’s written report. The proposal for a Newcomb-McAlister Unified Green had finally moved into the planning stage after a slow start.

He discussed some problems with the proposal to develop a new event center on the Central Building site. Athletic requirements would limit the building’s ability to support other events. Under consideration is a proposal to build athletic practice facilities elsewhere on campus. But, he said, space limitations in the building remained a concern.

Other planning initiatives included looking at future plans for the downtown campus and the university libraries. The committee was also studying the implications of the president’s signing of the compact on climate commitment.

Senator Long asked about the plans for the Rosen House site. Senator Klingman said it was needed for parking to make the Unified Green workable. President Cowen confirmed that parking was the intermediate-term plan for the site. A long-term plan has not been developed.

Senator Purrington asked if there were plans to upgrade facilities for the performing arts on campus. President Cowen answered that facilities for performing arts had been considered before Hurricane Katrina but had since been placed on the back burner. He thought the new event center might provide some possibilities.

Committee on Equal Opportunity

Senator Myers commented briefly on the committee’s written report. The major issue the committee dealt with was adding the category of transgendered to Tulane’s Equal Opportunity and Anti-Discrimination statements, which the senate approved in December.

The committee has also been discussing its role and composition with the Committee on Committees. The Committee on Equal Opportunity perceived a need to broaden its mission to include diversity.

The committee also has been working on developing reports on demographic profiles of faculty and staff biennially. It is also following the development of a central working group to deal with accessibility issues.
Committee on Educational Policy

Vice Chair Langston presented the report. The committee proposed a motion that Newcomb-Tulane College, operating through its Curriculum Committee, should be responsible for authorizing new undergraduate courses from those schools without undergraduate degree programs, with an exception allowed for courses already scheduled for Fall 2008. He acknowledged that this proposal might require changes to the newly written constitution of the Newcomb-Tulane College Faculty, which was undergoing faculty review at the time.

Dean Ponoroff objected strongly to the proposal. He said that the proposal discriminated against schools that did not have undergraduate degree programs but the discrimination lacked a rational basis. The implied basis was that schools that did not grant undergraduate degrees knew nothing about undergraduate education. His second point was that the Newcomb-Tulane committee currently was limited to core curriculum; the change would be an expansion of its powers. Third, he said, the renewal plan mandates that all schools participate in undergraduate education. The requirement could put schools out of compliance with the renewal plan. Fourth, new courses out of schools granting undergraduate degrees are not reviewed because they are reviewed by committees in those schools. In the law school, all courses must go through the law school's curriculum committee. He questioned what value a committee with no expertise could bring to programs already vetted by those expert in the subject matter.

Vice Chair Langston replied that basis of the proposed review was that questions had arisen about the quality of undergraduate courses offered by other schools. The Newcomb-Tulane College faculty would soon be constituted. The proposal would expand the role of the college’s curriculum committee and could require a change in the composition of that committee. The committee would have the power to reject courses. He said that undergraduate courses should be vetted by a body of faculty with responsibility for undergraduate education at Tulane. He saw the proposal as part of the implementation of the renewal plan.

CIO Barron, speaking as a member of the law school faculty, said he found the proposal insulting. He said he had taught undergraduate courses and understood teaching. The proposal implied that others could judge the work of a faculty member of the law school and overturn that work. The only way the proposal would not be insulting, he said, was if it applied to all undergraduate courses regardless of school. He suggested that if performance in a course turned out to be a problem, it could then be referred to Newcomb-Tulane College.

Senator Purrington said that, although he found the arguments from the law school persuasive, in his experience curriculum committees often deal with issues other than the substance of a course. Members of other schools might not be familiar with those issues.

Senator Walker said that the committee was alleging a problem and then proposing a solution. He asked for evidence that the problem existed at a higher level in some schools.

Vice Chair Langston explained that the Committee on Educational Policy believed some expertise was lacking in schools that did not grant undergraduate degrees.

Dean Ponoroff said he sensed that the proposal wasn't generated spontaneously, but triggered by a concern with certain undergraduate courses. Reacting to that concern was appropriate, he said, but he compared the committee’s reaction to a hypothetical situation in which Dr. Cherrey discovered that students with surnames beginning with H had problems and so proposed not accepting them. He said that if the law school were to develop an undergraduate major, it would be like the schools of Liberal Arts and Science and Engineering. He questioned the logic of the committee’s reaction.

Vice Chair Langston responded that if the law school were to develop an undergraduate major, it would then develop the expertise required.

Senator Carroll argued that Dean Ponoroff’s analogy was weak. She said that generally curriculum committees were helpful and offered suggestions. Curriculum committees were
familiar with many issues that faculty members were not aware of. She said she was surprised at the animus of those opposed.

Dean Ponoroff said Senator Carroll was missing the point. The courses have already gone through the school’s curriculum committee. Dean Query asked what problem the senate was being asked to solve. It was not clear that a problem existed.

Finally, the discussion drew to a close, and the committee motion was defeated by voice vote.

Vice Chair Langston then continued his report. He said the committee had discussed online courses, but decided to leave the issue to the discretion of the faculties of the individual schools. He then offered a motion to adopt the proposed calendar for Fall 2009 and to incorporate a fall break in the calendar. He said the idea had been proposed by student Senator Walker and had been coordinated with Student Affairs, the registrar, and other offices.

Dean Marksbury said that if Yom Kippur fell on a Thursday, and Thanksgiving and the new fall break included Thursdays, some schools would have scheduling problems. Registrar Retif said that the plan was to adjust the calendar for Yom Kippur.

Senator Balée pointed out that some faculty members had research venues in other countries that could be affected by extending fall schedule earlier. Vice Chair Langston responded that the number of days remained the same. Some faculty members may be inconvenienced, but the students would benefit.

Senator Gaver asked why the exam period was not moved back instead of moving the starting date forward. Registrar Retif replied that moving exams back would result in ending exams on December 22, which would create problems with travel for winter break.

Student Senator Walker said the proposal was overwhelmingly supported by students. Freshmen and sophomores struggle with being a long way from home. A small break would help. The benefit of the break was more important than moving up two days at the start of the semester.

Senator Purrington commented that the idea of a fall break appeared to be less controversial than the adoption of this particular calendar. A division of the question was called, and the motion was divided into two parts.

The first part, establishing a two-day fall break in October in principle, was passed unanimously by voice vote. The second part, adoption of the proposed calendar for Fall 2009 was then passed by majority voice vote.

New Business

Committee on University Honors

Senator Davies gave a first reading of a proposed amendment to the bylaws regarding the Committee on University Honors (see appendix 1). He also said he would present proposed new criteria for selection of candidates for honorary degrees, but that presentation would be postponed to the executive session to allow for more confidential discussion.

Resolution on HB 199

Senator Carroll proposed a resolution opposing House Bill 199 in the current session of the Louisiana Legislature. The bill would allow anyone with a concealed-carry permit to bring weapons onto a college campus. The bill would also prohibit the governing bodies of the colleges from infringing on the right to carry weapons of those with concealed-carry permits. She added that the state superintendent of higher education opposed the bill, as did the Southern University police chief. The chief said it would make everyone on campus a suspect.

President Cowen asked Rebecca Conwell from the government affairs office to give some background on the issue. Ms. Conwell said the university must take the bill very seriously. She noted that a trend was occurring across the country. Fifteen states were considering similar bills. But she believed the university would have support in fighting the bill. In Oklahoma, a joint resolution of college presidents contributed to defeating a similar bill. In Virginia, the state police had an impact in stopping the same type of bill.

The president said that he supported the
resolution but was concerned about the precedent of the senate commenting on pending legislation. Senator Landry asked whether the university took positions on legislation like proposals affecting the hospitals. The president acknowledged that the administration took positions, but his concern was about the senate debating politics.

After some discussion, President Cowen suggested that the motion be amended to read that the senate endorses the administration’s opposition to HB199. That change was accepted without objection.

Senator Landry asked what the supposed merit of the legislation was. Senator Carroll said that the proponents assumed violence would be reduced if potential criminals knew that some people on campus were armed.

Senator Cullen noted that students with guns no longer had a place on campus to store them, so they either left them in their vehicles or smuggled them into the residence halls.

After this discussion, the amended motion was passed unanimously by voice vote.

The senate then adjourned into executive session to consider the report from the Committee on University Honors.

Respectfully submitted,
Jim Mackin, Secretary

Secretary’s Note: All written reports mentioned in the minutes will be available on the senate Web site, http://www.tulane.edu/~usenate/.

Appendix 1

Proposed Change to By-Law VI: Honorary Degrees

(1) Nominations of candidates shall be made to the Senate by the Senate Committee on University Honors and the Board Committee on University Honors, sitting together, with the exception that under special circumstances the privilege of nominating from the floor can be extended if there is a two-thirds majority of the voting membership in favor of receiving the nomination in this manner.

(2) Voting on such candidates shall be by written ballot in a session of the Senate attended only by voting members or their proxies. The proceedings of this session shall be kept confidential. No candidate shall be recommended by the University Senate to the President for review before recommendation to the Administrators for an honorary degree unless the candidate receives an affirmative vote of two-thirds of the voting members who are present.

(3) Any candidate thus presented to the Senate and failing to receive a recommending vote shall not be reconsidered within that current session.