

University of Pittsburgh  
Senate Council Meeting  
Minutes of June 7, 2004

1. President Bircher called the meeting to order at 3:00 PM.
2. The minutes of the Senate Council meeting on May 10 were approved as written.
3. President Bircher asked for items of new business for the meeting. There were none.
4. Report of the Chancellor, Mark A. Nordenberg:
  - The Chancellor said that this was the last meeting of the academic year and he would like to thank everyone for another year of progress, though it was also a year of challenge.
  - Last month he talked about achievements over the academic year. He added a few supplements. In the middle of May the third Bio-Medical building was topped off. This will be the home for 50 research groups and 500 people. It is a visible symbol of the University's stature and ambitions. Jamie Dixon, head of the men's basketball team was recognized as "Person of the Year" at the YMCA's Scholar-Athlete dinner. The 120 high school scholar-athletes who were honored were an impressive group; a number of them are coming to Pitt in the fall. Last weekend, Dr. Randy Juhl, now Vice Chancellor for Research Conduct and Compliance, received the School of Pharmacy's Distinguished Service Award. He was dean of the school for 16 years, seeing it from some of its darkest days to a position of national prominence.
  - This week will bring the world premiere of the jazz opera "Just Above My Head," written by Nathan Davis from the Department of Music. He has brought worldwide attention to the University through his work in jazz over many years. This production is further evidence of his special talents and it is timed to coincide with the national convention of arts groups here in Pittsburgh.
  - Last month the University, under the leadership of Dean Larry Davis, teamed with Duquesne University to present the second event commemorating the 50<sup>th</sup> anniversary of the Brown vs. Board of Education ruling. Despite social and educational progress since that decision, there is still much work to be done. Education in America in too many instances remains both separate and unequal. As an institution dedicated to advancing the values of diversity and equity, the university continues to be an active participant in the processes to effectuate lasting change. We are fortunate at Pitt to have initiatives that are advancing that goal.
  - The Chancellor said that he had the special opportunity to present an important award to an initiative that is a model of our institution's commitment to ensure access to quality education for all. The School of Engineering's Office of Diversity is the recipient of the 2004 Chancellor's Affirmative Action Award. The award was created a number of years ago by Dr. Mimi Bishop Coffey, a former Affirmative Action Director, and her husband, Dr. Joseph Coffey, who was a professor in GSPIA. The award is now presented annually to a program or individual who has made a significant contribution to the cause of Affirmative Action. This year's winner was nominated by Dr. Gerald Holder, the US Steel Dean of Engineering. He cited the program's leadership and vision in instituting a cutting edge diversity vision that carried the school into the new millennium. The Chancellor said he was impressed by the truly comprehensive nature of the programs within the office. It begins with under-represented students in middle school and devotes

resources to those same students even past college graduation. The office also works to ensure that the school has a diverse faculty and staff. On a daily basis the office inspires a culture of respect and tolerance. The office is lead by Dr. Sylvanus N. Wosu, Assistant Dean for Diversity and Minority Affairs. The Chancellor said that Dr. Wosu would want him to say that it builds on the work of his predecessor, Dr. Karl Lewis. The Chancellor described some of the programs of the Office, such as the Pitt Engineering Access Program, the Investing Now Program, the Pitt Excel Program, and the Mentoring Program for Excellence in Engineering. He then invited Dean Wosu to accept the certificate in recognition of the successes the office has enjoyed and he asked other members of the office to stand and be recognized. Dean Wosu then thanked everyone who gave him the opportunity to serve in this office and to introduce new programs. He also thanked his dedicated staff. The Chancellor also thanked the selection committee.

5. Report of the President of the Senate, Nicholas G. Bircher

Professor Bircher noted that this was the last meeting of Senate Council until Wednesday, September 15. He observed that this has been a successful year, and the officers all look forward to similar successes next year. He thanked everyone for their contributions to making the University Senate an example of viable shared governance. He wished everyone a good summer and said to contact him or any of the officers if issues arise prior to the next meeting.

- He reported on the activities of the following standing committees:
  - Athletics (Co-chairs Eichelberger and Zamboni): After extensive discussion regarding the Coalition on Intercollegiate Athletics (COIA), the motion to accept the recommendations of the Committee was tabled at Faculty Assembly in May and then re-discussed in June. The specific recommendations of the Committee were (1) not to join the Coalition on Intercollegiate Athletics (COIA) at this time and (2) not to endorse the Framework Document regarding reform in athletics which has been produced by their Steering Committee in its present form. While there was broad support for faculty input into intercollegiate activities, opinions differed somewhat as to (1) whether the level of input here was adequate or not, and (2) whether joining the Coalition with or without endorsing the framework would be a prudent move. He added that Professor Eno of COIA thinks that Pitt is one of the best examples of shared governance in athletics. The main issues were the governance of the Coalition itself and the absence of structural information to guarantee that those who joined would have input into the operation of the Coalition. A copy of the Senate Athletics Committee's response is on the back table. On June 1, members of Faculty Assembly voted to accept the Athletics Committee's response to the Coalition of Intercollegiate Athletics (COIA) Framework. The resolution that "the faculty of the University of Pittsburgh does not endorse the COIA Framework and does not agree to become a formal member of COIA at this time" was approved with a vote of 18 in favor, eight against and one abstention. The Athletics Committee will expand its report to embrace the general principles of the Coalition, but to express concern with the lack of internal shared governance. The modified report will be sent to COIA with a letter from the Senate President.
  - A report from Commonwealth Relations (Co-chairs Pat Kolar and Debbie Rougeux) is on the agenda.
  - A report from Community Relations (Chair Tracy Soska) is on the agenda.
  - Tenure and Academic Freedom (Chair Michael Pinsky): Members of TAFC have

compiled and the Committee has approved a report on Tenure and Non-tenure Faculty Activity, copies of which are available on the back table. All faculty are invited to examine the results on the TAFC home page on the Senate Web site. Professor Bircher thanked the TAFC members who worked on this report, particularly Mark Ginsburg and Carey Balaban.

- Professor Bircher reported on the following other Senate committees.
  - Ad hoc Committee to Study the Expedited Review Process. Professor Bircher announced that Professor Nathan Hershey would report later on the ongoing negotiation regarding the policy and procedure. Professor Bircher thanked Professor Hershey, the Ad hoc committee, and the Provost's Office for their extensive efforts.
  - The Expanded Executive Committee: will meet late in the summer to discuss upcoming issues for the fall. The chairs of each of the standing committees will be asked to give a brief report regarding the agenda for their committee for the upcoming year.
- On behalf of the Senate, Professor Bircher congratulated the recipient of the Chancellor's Affirmative Action Award, Sylvanus Wosu, Assistant Dean for Diversity and Minority Affairs and Associate Professor of Mechanical Engineering, School of Engineering.
- Professor Bircher next announced the award for service in the University Senate. This is an award that Nathan Hershey initiated 5 years ago when he was Senate President. Previous recipients have included: Richard Pratt, Phil Wion, Richard Tobias, Herbert Chesler and Nathan Hershey. He announced that this year's recipients of the award are Pat Kolar and Debbie Rougeux for their outstanding efforts in the Commonwealth Relations Committee. Pat has been a member of the Committee since 1998 and chair or co-chair since 1999. Her term as a voting member expires this month, but she will remain active as a pro tem member. Debbie has been a member of the Committee since 2000 and Co-chair since 2002; she will continue on as Chair of the Committee. Prior to Debbie's work on the Committee, she served as Secretary of the Senate from 1995-1998 and as Vice President of the Senate 1998-1999. Together, they have embodied the committee's mission to foster and promote mutual understanding between the University faculty and our State government and their efforts are greatly appreciated. Professor Bircher then presented the awardees with plaques.
- Professor Bircher also offered a special expression of thanks to the Director of the University Senate Office, Fran Czak, and her very able assistant, Sandra Mathews. He said that Fran and Sandi are essential members of the team, and things would not run smoothly without them, if they ran at all.
- Professor Bircher announced that next Faculty Assembly meeting is scheduled for Tuesday, September 7 and the next Senate Council meeting is scheduled for Wednesday, September 15. Both meetings will be held in the Assembly Room, WPU. The July and August meetings are cancelled.

#### 6. Report of Student Members of Senate Council

##### *Student Government Board*

Joe Salvatore reported for the SGB. He said that they were looking forward to an increase in the activity fee. They are planning for that by looking into increased caps for club sports as well as for traveling choral groups. Activities the SGB is working on include carpooling and safety in South Oakland. He requested that the administration try to expedite the appointment of a new Greek advisor. Students are concerned about the short winter break in the next academic year. They are planning a welcome for new freshmen,

which might include a “dunk tank” for charity and some Senate Council members may be receiving invitations to be dunked.

*Graduate and Professional Students Association*

Mr. James said that his members were not active over the summer. They are also looking forward to an increase in activity fees and plan to use the additional funds for travel grants and support of the Pitt Program Council. They need volunteers and venues for their upcoming National Association of Graduate and Professional Student Conference in November.

SCHOOL OF ARTS AND SCIENCES

Mr. Fagley said that he had nothing to report.

7. Report of the President of the Staff Association Council, Mr. Richard Colwell.

Mr. Colwell reminded everyone that Pitt Kennywood day is August 1.

8. Reports by and Announcements of Standing and Special Committee of the Senate

*Commonwealth Relations Committee, Patricia Kolar and Debora Rougeux, Co-Chairs*

Professor Kolar said it was an honor and a pleasure to serve on the committee. The committee provided a summary report of their activities for the year on the table at the back of the room. She reported that they had an active year. One of their thrusts was student involvement; another was regional campuses. They had visits at Titusville and Johnstown. Debbie Rougeux will serve as chair next year and Lisa Bernardo will continue to be the secretary. Their report includes a list of the legislators with whom they met this year. Professor Kolar also said they are putting together an editorial for the *University Times* to let people know what they do in hopes of getting more participation.

*Community Relations Committee, Tracy Soska, Chair*

His report was an update. He offered his thanks to everyone as he is rotating off as a voting member of the committee. First John Wilds reported on a database. Dr. Wilds said that they have tried to compile a list of community service activities of the faculty and staff. They were especially interested in community service as part of faculty research. They worked with UCSUR to develop a survey and sent it out in spring 2003. They had about 163 responses. The problem has been that administrators were responding rather than faculty. They are trying to revise the instrument to get a better faculty response. Professor Soska said that his committee works with the community and they bring their concerns to the committee. In response to community concerns they set up two working groups, one on housing and the other on pedestrian safety. He asked Linda Hartman to report on housing. A more detailed report was available on the back table. She said they had a number of organizations speak with the committee and the committee made field trips. Some of the issues raised were those of absentee landlords, lack of code enforcement and zoning violations. Another issue was fair housing for the mentally ill and physically disabled. They also had speakers from Fanny Mae talk about employee-assisted housing and how they are run in different places. They wondered if people in Oakland would be interested in this and therefore they put together a survey. They had 39 respondents, lower than desired. The responses indicated that many people knew nothing about employee-assisted housing programs. They asked what one considered when looking for a home and convenience to job was the top answer. There might be some benefit from working with the Oakland community groups to promote what they are doing for our employees. Perhaps this could be done through the Housing Resource Office. It might be used as a clearinghouse to let employees know what is available in the

community. Professor Soska added that Bob Hopkins, a staff member for the housing resource center, is retiring. He wanted to thank him for all the help he has provided the committee. Next Wes Rohrer reported on Pedestrian Safety. A written report was provided on the back table. The report is a preliminary report as a first step to building a strategy for pedestrian and traffic safety on campus. This was a priority for the committee and its importance was reinforced by two pedestrian deaths, one on campus and one in a neighboring community. The committee had a focused session on pedestrian safety and then the subcommittee was created. It was co-chaired by Officer Tim Delaney of the Campus Police. Their goal this year is to come up with a comprehensive plan backed up by real data and documentation. The Staff Association Council, and work they did beginning in 2002, were instrumental in getting them started. SAC looked at pedestrian crosswalks. The committee wants to work with community groups and constituencies within the universities, including students. Pedestrian safety has been identified as a public health issue. Part of their effort will be educational, part enforcement, and part getting pedestrians and drivers to take the issue more seriously. They hope to have a more complete report next winter. Professor Soska ended the committee report by saying that he would stay on the committee on a pro-tem basis to help with the fall plenary session which will be held on November 3. The plenary will be in the afternoon and its theme will be looking at the scholarship related to community activity and civic engagement. In the morning, the committee is co-sponsoring with the Pittsburgh Council for Higher Education a multi-institutional symposium to bring together colleagues from other institutions to look at the work being done and share best practices around service learning, applied research and community outreach. They will also highlight some of the scholarship and publications coming out of service learning.

*Ad Hoc Committee on Expedited Review Process, Nathan Hershey, Chair*

Professor Hershey said that four years ago he had proposed an expedited review process under both the faculty grievance and appeal procedures. The administration finally prepared a response for both procedures. The TAFC reviewed the materials and Professor Bircher appointed an ad hoc committee chaired by Professor Hershey and with Carey Balaban, John Baker and Dick Pratt. There were some issues, two of which are in the written memo available at the back table. About two weeks ago they negotiated some changes with Vice Provost Blair. The committee had proposed a role for the President of the Senate and the ability of a faculty member to go back to the regular procedure if he or she was unhappy with the hearing officer appointed by the Provost. Initially their proposal was rejected by the Provost but he later changed his views somewhat. The memo indicates that the Provost would consult with the President of the Senate, though he would not be bound by the consultation. More important, if the hearing officer is unacceptable to the faculty member, he or she could go back to the regular procedure. Professor Hershey said the next step is for the Senate Council to vote to recommend to the administration that it adopt an expedited grievance process. He added two points: The door is not yet closed on the issue on faculty reviews and appeals; there might be a need for an expedited process on these issues as well. Under the current administration, there has been an increased responsiveness on issues concerning faculty rights. One change in the 1990s was liberalization of policy with regard to indemnification of faculty members for expenses in proceedings brought against them. Also, there was the adoption in policy documents of a warning to faculty that University Counsel is not counsel to university faculty members; in some situations faculty members need their own lawyers and should

be careful what they disclose to university attorneys. This new policy is another sign of the administration's responsiveness to faculty interests.

He called for a vote by members of Senate Council to make the alternative Policy and Procedure for grievances available to faculty. [A copy of the statement from Prof.

Hershey and the draft policy and procedures are available in the Senate Office.]

Chancellor Nordenberg said that as a professor of procedure, having just listened to a lawyer, he assumes this is a recommendation coming from the Ad Hoc Committee and a favorable vote would be a recommendation to the Administration that this become policy. He said he and the Provost would support the motion.

**The motion to recommend to the administration a new expedited review process for faculty grievances was passed unanimously.**

9. New Business. There was no new business.
10. Announcements. There were no announcements.
11. Adjournment. The meeting was adjourned at 3:58 PM.

Respectfully submitted,

Josephine E. Olson, Secretary

Members Attending:

Balaban, Beatrous, Bircher, Brush, Cassing, Chesler, Close, Cochran, Colwell, Czak, Fagley, Friedman, Frieze, Grove, James, Juhl, Kuller, Levine, MacQuarrie, Maher, Manfredi, Marts, Muenzer, G. Nelson, Nordenberg, Olson, Orbach, Pike, Ramicone, Ross, Salvatore, Savoia, Singh, Stoy, Worman

Others Attending:

A. Allen, C. Allen, Behot, Bon, Clark, Fedele, Frisch, Garfinkel, Hartman, Hershey, Hill, Horne, P. Kolar, Paul, Rohrer, Rougeux, Soska, Steele, Supowitz, Wilds, E. Wosu, S. Wosu