

**ACADEMIC COUNCIL
AGENDA
Monday, September 14, 2009
Canisius 200
3:30-5:00 PM**

0. Select a recording secretary. Elect a Chair and an Executive Secretary.
1. Presidential courtesy
2. Report from the Secretary of the General Faculty
 - a. Roster of and meeting dates for the 2008-09 Academic Council (attached)
 - b. Guidelines for taking AC minutes (attached)
3. Report from the Executive Secretary
 - a. Approval of minutes
 - i. Approval of Minutes of meeting on 4/27/2009 (attached)
 - ii. Approval of Minutes of meeting on 6/23/2009 (attached)
 - iii. Approval of Minutes of meeting on 7/29/2009 (attached)
 - b. Correspondence
 - i. Memo from President to faculty dated 6/12/2009 (attached)
 - ii. Statement from Board of Trustees dated 6/12/2009 (attached)
 - iii. Memo from Faculty Secretary to President dated 6/16/2009 (attached)
 - iv. Memo from President to Faculty Secretary dated 6/29/2009 (attached)
 - c. Oral Reports
4. Council Committee Reports.
 - a. AC Subcommittee on Governance (attachment)
5. Petitions for immediate hearing.
6. Old Business.
 - a. Report from SVPAA on athletic events conflicting with final exams in S 09 (Ongoing Item 1)
 - b. Proposal to consider more fully integrating graduate education into Handbook committees (attachments)
 - c. Report from Committee on Conference with the Board of Trustees re last meeting with Board on 6/4/09 and upcoming meeting with Board in October. (Ongoing item 2)
7. New business
 - a. Report from the Faculty Salary Committee (attachments)
 - b. Elect faculty representatives to the Honorary Degree Committee
 - c. Academic Calendar/Final Exam Schedule issues (attachment)
 - d. Form Subcommittee to clarify policy on grade changing (attachment)
8. Adjournment

List of attachments and Pending Items are on the back.

Attachments

- For item 2.a: 2008-09 AC roster and meeting dates (page 3)
- For item 2.b: Guidelines for taking AC minutes (pages 4-5)
- For item 3.a.i: DRAFT minutes for meeting on 4/27/2009 (pages 6-14)
- For item 3.a.ii: DRAFT minutes for meeting on 6/23/2009 (pages 15-21)
- For item 3.a.iii: DRAFT minutes for meeting on 7/29/2009 (pages 22-26)
- For item 3.b.i: Memo from President to faculty dated 6/12/2009 (page 27)
- For item 3.b.ii: Statement from Board of Trustees dated 6/12/2009 (pages 28-30)
- For item 3.b.iii: Memo from Faculty Secretary to President dated 6/16/2009 (page 31)
- For item 3.b.iv: Memo from President to Faculty Secretary dated 6/29/2009 (page 32)
- For item 4.a: Report of the AC Subcommittee on Governance 9/1/2009 (pages 33-40)
- For item 6.b: Memo to AC Executive Committee (2/20/09) re faculty input in graduate curriculum and pedagogical matters (pages 41-42); Proposed motion (page 43)
- For item 7.a: Memo to the AC from the FSC dated 9/1/2009 (page 44), "Road map" to proposed changes dated 8/25/2009 (page 45-46), Fiscal Policies section of the *Faculty Handbook* with proposed changes shown (pages 47-52), Fiscal Policies section of the *Faculty Handbook* with proposed changes incorporated (pages 53-58), Proposed REVISED Benefit Plans Overview for Full-time faculty (pages 59-75), Proposed 2009-2010 MOU with changes shown (pages 76-80), Proposed 2009-2010 MOU with changes incorporated (pages 81-84), Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 85-92). Current Benefit Plans Overview (separately stapled).
- For item 7.c: Proposed revised schedule of final exams for fall 2009 (page 93)
- For item 7.d: Excerpt of 3/9/09 AC minutes with relevant motion (page 94)

Pending Items

(Items just added in bold. Items to be removed shown with strikethrough.)

- A. Recommendations in report in Spring 2002 from Faculty Athletics Committee concerning (i) amounts of time student-athletes are absent from classes for trips/athletic activities, (ii) demands placed on student athletes for year-round training, (iii) number of scheduled athletic events that conflict with the University's final exam schedule, and (iv) amount of money spent on various athletic programs. *(See agenda and attachments for 12/4/02 AC meeting, and item 6.b of 3/3/03 AC meeting.)*
- B. Issues raised at the 10/4/99 AC meeting concerning faculty participation on the finance/budget committee. *(See minutes of AC meeting of 11/4/99; 10/29/99 letter from Phil Lane attached to 5/1/00 AC agenda; excerpt of GF minutes of 11/13/92 attached to AC 5/1/00 agenda; AC motion of 11/6/00.)*
- C. Distance learning issues. *(See item 7 of AC minutes of 5/5/03.)*
- D. Report from the Educational Technologies Committee on security, long-term feasibility, potential for integration, ownership, accessibility, etc. of servers containing faculty data. *(See AC minutes of 2/5/2007; AC 4/2/07 3b; AC 12/3/2007 7b).*
- E. Faculty Data Committee *(AC 12/3/07).*
- F. Subcommittee (Nantz, Mulvey) to consider ways of ensuring that faculty policy is correctly stated in official documents. *(See AC minutes 10/1/2007).*
- G. Issues related to parking on campus; faculty on University parking study *(AC 2/5/07 7c; AC 3/5/07 6a; AC 4/2/07 6a; AC 9/10/07 3bi; AC 10/1/07 6c; AC 2/4/08 3bi).*
- H. Subcommittee on sunseting of courses *(AC 4/28/08)*
- I. MFA in Creative Writing, Five-Year-Review due in 12/2012 *(AC 12/3/07).*

Ongoing Items

- 1. Report by AVP to AC each semester to inform the council of any approved exceptions to the Athletic Department's policy of not scheduling athletic events that conflict with final exams.
- 2. Report from the Committee on Conference with the Board of Trustees after each meeting with board members. At the end of each academic year, discuss items for the Conference Committee to put on the agenda for their meetings with members of the board the following year.
- 3. Implementation of AC recommendations concerning issues raised by AHANA students.
- 4. Bannow Environmental Report.

ACADEMIC COUNCIL 2009-2010

Jocelyn Boryczka	Behavioral and Social Sciences	2010	
Betsy Bowen	Arts and Sciences at large	2010	
Joe Dennin	NaturalScience/Mathematics/Engineering	2010	
Dawn Massey	Dolan School of Business	2010	
Rona Preli	Graduate School of Education and Allied Professions	2010	
Susan Rakowitz	Behavioral and Social Sciences	2010	
Tracey Robert	Graduate School of Education and Allied Professions	2010	
Debra Strauss	Dolan School of Business	2010	
Peter Bayers	Humanities	2011	
Steve Bayne	Humanities	2011	
Chris Bernhardt	Arts and Sciences at large	2011	
Rick DeWitt	Arts and Sciences at large	2011	
Johanna Garvey	Humanities	2011	
Doug Lyon	NaturalScience/Mathematics/Engineering	2011	
Joyce Shea	School of Nursing	2011	
Micheal Tucker	Dolan School of Business	2011	
Min Xu	Arts and Sciences at large	2011	
Paul Fitzgerald, S.J.	Academic Vice President	<i>ex officio</i>	no vote
Robbin Crabtree	Dean, College of Arts and Sciences	<i>ex officio</i>	no vote
Jeanne Novotny	Dean, School of Nursing	<i>ex officio</i>	no vote
Norm Solomon	Dean, Dolan School of Business	<i>ex officio</i>	no vote
Vagos Hadjimichael	Dean, School of Engineering	<i>ex officio</i>	no vote
Edna Farace Wilson	Dean, University College	<i>ex officio</i>	no vote
Susan Franzosa	Dean, Graduate School of Education and Allied Professions	<i>ex officio</i>	no vote
Irene Mulvey	Secretary of the General Faculty	<i>ex officio</i>	no vote

CHAIR:

EXECUTIVE SECRETARY:

Meeting Dates for AC 2008-2009

All Mondays from 3:30-5:00 in Canisius 200:

September 14
October 5
November 2
December 7
February 1
March 1
March 29
April 19 (tentative)
May 3

MEMORANDUM
Fairfield University
Secretary of the General Faculty

TO: Member of the Academic Council

FROM: Irene Mulvey, Secretary of the General Faculty

DATE: September 11, 2009

RE: Academic Council minutes

These are guidelines to follow when preparing the minutes of Academic Council meetings.

1. The Faculty Handbook specifies that the Council minutes “indicate the votes of members (i.e., tally and roll calls) as well as the proponents of major suggestions.” Although we have occasionally neglected to record which members voted for a motion, which against, and which abstained in the voting, the practice should be maintained to conform to the Handbook.
2. The Handbook also specifies that committee records contain minority as well as majority opinion; the Council minutes have generally followed this practice and should continue to do so. The Academic Council is the executive arm of the General Faculty; as such it considers, makes decisions and makes recommendations on any matter of academic concern that falls within the purview of the General Faculty, except for matters specifically reserved to the General Faculty. The Council provides the opportunity for exchange of opinion between faculty and administration in the ordinary working of the University. The Academic Council minutes are the only way that faculty will know what the council has done on their behalf, and why it was done.
3. The Journal of Record (1/22/68) indicates that “the gist of all communications [to the Council] be published in the Council minutes.” The communications themselves, including reports circulated at meetings, documentation, etc. should be included in the file of the Council minutes maintained by the Faculty Secretary, but the Recording Secretary and the Executive Secretary should trust their judgment in deciding what to summarize and what to distribute verbatim to the faculty.
4. The council acts by voting on motions. To avoid misunderstandings at a later date, these motions should be reduced to writing before the Council votes; they should be transcribed verbatim in the Council minutes.
5. To facilitate consultations of the minutes:
 - a. number the minutes exactly as the items for consideration are numbered on the agenda for that meeting.
 - b. Write the complete date of the meeting on each page in a footer and number the pages.
 - c. provide a separate underlined caption for each agenda item or topic
 - d. place all motions in separate, indented, boldface, block paragraphs and indicate in boldface the result of any vote on any motion.

6. Minutes must be approved by the Executive Secretary before circulation. Send your transcript to the Executive Secretary (electronically is best) for approval and forwarding to the Faculty Secretary for distribution.

7. Minutes are the only way that most members of the General Faculty will learn what the Council is doing. To allow this to happen in a timely manner, minutes should be prepared for distribution as soon as possible after the meeting, ideally within one week. These draft minutes should be labeled as “DRAFT minutes, not yet approved by the Academic Council.” Minutes are circulated to the General Faculty upon approval by the Council’s Executive Secretary, ideally before the Council’s next meeting; if there are any changes made at that time to the previous meeting’s minutes, those changes are noted in the current meeting minutes. The recording secretary should then prepare a copy of the minutes as approved by the Council and indicate on these that they were approved by the Council with the date of the approval.

DRAFT MINUTES
Academic Council Meeting
April 27, 2009
3:30 – 5:00 p.m
CNS 104

Present: Professors Bernhardt, Bhattacharya, Boryczka, Dallavalle, Dennin Garvey, Greenberg, Massey, Mulvey (Faculty Secretary), Nantz, Preli (Chair), Rakowitz, Robert, Strauss, Thiel, Yarrington;

Deans Crabtree, Franzosa;

Guests: Executive Vice President Weitzer

Regrets: Professors Bowen (Executive Secretary) and Pomarico, Dean Solomon

Absent: Deans Hadjimichael, Wilson

Meeting from April 20, 2009 Reconvened by Preli (Chair) at 3:30 p.m.
--

Faculty Secretary, Irene Mulvey, asked if someone would make a motion to suspend the rules so she could bring something that is not on the agenda to the Council's attention. A **MOTION** to suspend the rules **PASSED** by the required 2/3 vote.

Prof. Mulvey reported that the Committee on Committees had collected names for the openings on *Handbook* committees and that the ballot was nearly final. The slate for Faculty Secretary and the slate for Committee on Committees (which is chaired by the Faculty Secretary) fall under the purview of the Academic Council. She apologized for not getting this item on an agenda as usually happens.

Prof. Mulvey reported that at this time there are no nominees for Faculty Secretary. For the Committee on Committees, Paul Caster is the only nominee for the Behavioral and Social Science/DSB opening. Marcie Patton and Mary Ann Carolan are the nominees for the At large opening.

MOTION. To accept the slates as reported by the Faculty Secretary
MOTION PASSED. 14 in favor, 0 opposed, 1 abstention

Prof. Mulvey thanked the Council and the AC returned to the agenda.

4. Council Committee Reports

MOTION [Thiel/Dennin] to grant EVP Weitzer speaking privileges.

Prof. Mulvey asked why. Prof. Thiel responded that the EVP Weitzer may be able to answer questions regarding the Board and other matters pertinent to the current discussion. Prof. Mulvey spoke against the motion saying it is time for the faculty to start making decisions as faculty on the issues before us. Our discussions and debate should be restricted to members of the Council. If there are questions that our subcommittees don't know the answers to, then we should send them back to work.

MOTION. [Nantz/Greenberg] to call the question passed.

MAIN MOTION PASSED. 8 in favor, 3 opposed, 1 abstention.

Prof. Preli referred the AC to the memo of April 22, 2009 from Executive Secretary Bowen regarding this reconvened meeting sent to the AC as a guide for the discussions at this meeting.

Prof. Massey raised a threshold issue about the legality of the AC's deliberations and had sought an opinion from an attorney who raised concerns about the AC crafting language and then voting on this issue which potentially creates a conflict of interest and a problem with voting. Prof. Massey recommended that those who created the language for the package before the AC recuse themselves from the proceedings. Prof. Greenberg rejected this proposal since this is how the AC has done business for 40 years whereby subcommittees send reports to the AC and we vote on motions regarding those reports. Prof. Massey responded that she respected the labor lawyer's counsel and disagreed with Prof. Greenberg. Prof. Preli called for a motion.

MOTION [Massey/Bhattacharya] to recuse members of the AC who participated in creating the language in the material before the AC.

Prof. Nantz spoke against the motion since she did not see the conflict of interest between subcommittee members and participants in the AC's business. Prof. Nantz stated that the implication was that the AC members on the subcommittees are biased. Prof. Preli asked if there was any further discussion of the motion. Prof. Dallavalle stated that she appreciated concerns regarding conflicts of interest on the AC but would vote against the motion in order to move forward.

Prof. Nantz asked who is this attorney and why should we believe this person's opinion? Prof. Massey responded that the attorney is Eric Brown, a labor law expert. Prof. Yarrington asked if there was a conflict of interest regarding the FSC negotiations? Prof. Preli stated that the AC needed to focus on Prof. Massey's motion. Dean Franzosa stated that a conflict of interest arose in accord with people's material interests and that thinking back to case law in higher education, one could see concern, but AAUP campuses come forward with recommendations such as percentages of pay increases and health benefits in negotiations with faculty who may have a bias, but they can still vote on these measures. Dean Franzosa indicated that there are pieces missing in the judgment that there is a conflict of interest.

MOTION. [Dennin/Rakowitz] to call the question.

MOTION TO CALL THE QUESTION PASSED. 10 in favor, 3 opposed, 0 abstentions.

MAIN MOTION FAILED. 3 in favor, 9 opposed, 1 abstention.

MOTION [Dallavalle/ second?] to approve the package as presented by the AC Subcommittee on Governance.

Prof. Nantz suggested specifying the package as the documents sent with the materials for the 4/20 AC meeting. Prof. Rakowitz stated that there are several elements presented

and it does not make sense to vote on it as a package. Prof. Bernhardt stated that the packet is not complete since, for instance, the specific numbers regarding health care premiums were not included. Prof. Rakowitz agreed that the package was not complete. Prof. Dallavalle stated her confusion. Prof. Rakowitz stated her understanding that if the entire package was not approved, then the Board of Trustees would withdraw its approval, but that different votes were required for different parts of the package.

MOTION WITHDRAWN.

MOTION [Greenberg/Dennin]: to send to the General Faculty with a recommendation to approve the Proposed Guidelines for Faculty Annual Merit Review and Self Evaluation dated 4/10/09 and on pages 21-28 of the packet for the 4/20 AC meeting.

Prof. Bernhardt asked about the coda paragraph at the end of this material and whether or not it depended on the insurance co-pay question. Prof. Mulvey did not see that it did.

Prof. Nantz stated that she would vote in favor of the motion due to the kinds of merit awards made in recent years and the variety of criteria in the proposed guidelines which make the process more fair across departments and schools and secure individual criteria for awards. Prof. Nantz stated that the Subcommittee on Governance did not work on this proposal, but the FSC did this work although it is hard to separate the subcommittee from the FSC work.

Prof. Massey was against the motion for reasons stated in her memo to the AC at the April 20, 2009 meeting, including the lack of no progression from standard to additional to extraordinary merit which was not resolved, the wording of Dean's discretion, and the COLA paragraph the does not guarantee that the faculty actually get COLA. Prof. Massey stated that the percentage salary increase was under or over COLA for the last 12 years, averaging .2%. Prof. Massey continued that the notion of actually having COLA was a falsity and unfair to new people with the expectation of merit which creates a false impression; unless the administration puts its money where its mouth is, it is unfair to endorse this for junior faculty.

Prof. Thiele stated that he would vote for the motion, it is travesty of justice under the current system and this plan represented a tremendous improvement.

Prof. Bernhardt stated that there were parts he liked and disliked. Prof. Bernhardt liked the COLA paragraph and three or four levels with the pay increase, but disliked the rest of it. Prof. Bernhard, referring to page 6 of packet for the GF meeting on 4/24, stated that service and scholarly activity are treated equally and this seems wrong since we value the scholarly above service here. Also standard merit requires teaching and scholarly activity or service which may be fine for those near retirement while junior faculty could get merit for teaching and service but not scholarship which is necessary for rank and tenure.

MOTION TO AMEND [Bernhard/Massey] to amend the proposal on a universal merit plan to read: "There will be three potential levels of merit: 'standard' and two levels beyond this (called 'additional' and 'extraordinary')."

Standard merit is a threshold that the great majority of faculty should be able to achieve annually.” “If the salary pool is at or below the increase in the cost of living (CPI-U), the entire pool will go to Standard Merit. If the salary pool is above the increase in the cost of living, then the percent going to Standard Merit will be cost of living plus one quarter of the remainder of the pool. Standard merit will be distributed to recipients as a percent of salary or of the mean of the rank, whichever is greater. Additional and Extraordinary Merit will be distributed in such a way that each faculty member who receives Extraordinary Merit in a given year will receive the same dollar amount, and it will be twice the amount awarded to each recipient of Additional Merit.”

MOTION [Greenberg/Second?] to call the question on the motion to amend MOTION TO CALL THE QUESTION PASSED. 8 in favor, 4 opposed, 0 abstentions.

MOTION TO AMEND FAILED: 4 in favor, 9 opposed, 0 abstentions.

MOTION to call the question on the main motion
MAIN MOTION PASSED. 10 in favor, 4 opposed, 0 abstentions.

Prof. Massey expressed concern that the AC was sending recommendations to the General Faculty without reaching clear consensus.

MOTION [Massey/Bhattacharya] that on the remaining items in the packet for the 4/20 AC meeting, the AC not recommend that the faculty approve the items unless there is clear consensus.

Prof. Thiel stated that the AC needed to be very careful and accurate in terms of what precisely the motion is in terms of forwarding items without the recommendation of the AC since we can't reach consensus and determine what we mean by consensus.

Prof. Massey said that she meant “clear consensus” since the motion under consideration was not normal.

Prof. Mulvey stated that she did not know what “clear consensus” means. Perhaps with non-controversial items, it becomes clear in the discussion that everyone is in agreement and one could say that consensus has been reached. But, as is usually the case, when not everyone is in agreement, a deliberative body takes a vote and that's their decision. The General Faculty will know we didn't reach consensus by our vote.

Prof. Greenberg stated that he did not see the need for the motion since the original motion was not something special. The AC makes a recommendation by its vote which goes to the GF.

Prof. Nantz spoke against the motion as irresponsible since as members of the AC we should spend time and have discussion which is made available to the GF in its minutes and votes. The AC's history is not one of reaching consensus. Prof. Nantz

stated that as Secretary of the General Faculty, she remembered when the AC voted in opposition to School of Engineering, but that the GF approved it.

Prof. Boryczka stated that consensus means 100% agreement among the members of a governing body.

Prof. Bhattacharya stated that the process is rushed and many faculty are confused.

Prof. Massey stated that we need time. Prof. Massey stated that the AC had not addressed her memo from April 20, 2009 or the legal counsel that the AC decided must be pursued at 4/20 meeting. Prof. Massey stated that by “clear consensus” she meant 80% and wanted to communicate that the AC is conflicted as a body and we have a responsibility to convey that given the weightiness of the issue.

Prof. Nantz stated that she agreed with Prof. Bhattacharya that there are a lot of people not sure out there, but the AC has been talking about the issues and if we are unclear, then there are procedural ways of postponing business and implementing the decision at any time since it is irresponsible to rubber stamp everything.

Prof. Strauss stated that the FWC did not express an opinion, but came through with varying opinions and she did not see this as different. The AC should pass the issue to the GF without a recommendation and not an endorsement and leave it to each faculty member to decide.

Prof. Thiel clarified that the AC passes motions and then makes recommendations to the GF; and that the AC voted on the merit plan and should report it to the GF. Prof. Thiel stated that these are momentous issues and the AC should share its stand with the GF.

Prof. Garvey stated that this motion was precipitous, leaping over a huge part of the AC’s responsibilities.

MOTION [Greenberg/Rakowitz] to call the question.

MOTION TO CALL THE QUESTION PASSED. 10 in favor, 3 opposed, 0 abstentions.

MAIN MOTION FAILED. 3 in favor, 11 opposed, 0 abstentions.

MOTION [Rakowitz/Dennin] to approve the following proposed amendment to the language of the *Faculty Handbook* on its voting membership:

At I.B.2, second paragraph, added language proposed for amendment in bold

Ex officio members of the Academic Council are the Senior Vice-President for Academic Affairs, the Deans of the Schools, and the Secretary of the General Faculty. **The Senior Vice-President for Academic Affairs, two Academic**

Deans appointed annually by the Senior Vice-President for Academic Affairs, and the Secretary of the General Faculty are voting members.

Prof. Thiel stated that he would vote for this motion since the Educational Planning Committee represented a precedent for this approach in the *Handbook* with two administrators as voting members and the AVP is one of the voting members. Prof. Thiel stated that the administrators could not have a voting block and they had pressed for more voting members, starting with 7 and the faculty countered with 2 and finally settled on three, giving, in addition, a vote to the Secretary of the General Faculty. Given the current demographics, there would be 17 voting faculty members of the AC with the 18th being the Secretary of the GF and three voting administrators. The Board of Trustees gave voice but not votes to faculty members in its deliberations. Some administrators are also members of the GF. Prof. Thiel continued that perhaps this would be a better model with a different kind of future.

Prof. Bhattacharya spoke against the motion since the GF is the only place where faculty can speak. She continued that the faculty need to be independent of administrator's voices in certain areas.

Prof. Yarrington spoke in support the motion since it could provide more fluidity in the AC deliberations.

Prof. Mulvey spoke against this motion. She stated that she cares about this motion as a person deeply involved with governance for a long time. The AC has proportional representation based on each school – now 3 voting members from the administration would make it no longer the proportional faculty body to discuss faculty issues under purview and decide them by faculty vote professional standards articulated by the AAUP. Prof. Mulvey continued that there should be no administrators voting in this body, it's appropriate to have them as *ex officio* members, along with the Faculty Secretary, to provide input and context. Prof. Mulvey said the EPC does provide a precedent, but not necessarily a good precedent. She felt this proposal is either too late for the current AVP or premature for the new SVPAA. She is optimistic that communication will improve next year.

Prof. Massey stated that improving working relations was the rationale since if administrators have voting privileges, then it sends a message that we lack collegiality and could send a negative message. Prof. Massey spoke against the motion due to the unintended consequences of giving voting privileges to administrators.

Dean Franzosa commented on the difference between the AC and the EPC if developed with administrative voting members. She stated that the faculty would not have 100% representation and this seems uneven and wondered why.

Prof. Nantz stated that she did not speak for or against the motion. She agreed 100% with the AAUP stance. In terms of Dean Franzosa's question, Prof. Nantz stated that the AC looked at representation every 5-6 years and faculty were added to assure accurate representation which altered the AC's numbers from different areas of the faculty over time. Prof. Nantz stated that as faculty member on this body, it is difficult to balance

these conflicting responsibilities – others will weigh their responsibilities and come to best decision.

Dean Crabtree commented first that deans were not instructed to support the package and Dean Franzosa's disagreement with the motion shows this. Dean Crabtree then asked for a point of information regarding whether or not the AC realized that the proceedings were being tape-recorded.

Prof. Massey stated that Prof. Boryczka knew that the tape recorder was there.

Prof. Yarrington stated that this was a threat to an open discussion especially from someone who is hostile and she did not know what this machine was and that the tape should be given to the AC.

Prof. Greenberg stated that the AC needed to address the motion on the floor.

Dean Franzosa stated that the AC should consider rethinking the idea of the motion.

Prof. Greenberg stated that there was never a rationale on this motion. Prof. Greenberg stated that the only reason to vote for it is due to the larger package since this motion does not advance shared governance. Prof. Greenberg stated that he would vote for this motion due to its relationship to the larger package.

Prof. Nantz stated that she did not agree or disagree with the motion but saw that shared governance could be advanced by having the Senior AVP as part of the group the Executive Committee that created the agenda for the AC.

Prof. Bhattacharya stated that she opposed voting for something due to the fact that it was part of the larger package.

Prof. Thiel stated that senior administrators did offer a rationale and he supported the motion since it is a better model and would allow for reasonable views from the other side.

Prof. Dennin stated that he was conflicted on the motion since giving these votes to the administration may involve giving up a major chit in negotiations and that the faculty should be able to outvote two administrators.

MOTION [Dennin/Yarrington] to call the question.

MOTION to call the question PASSED. 11 in favor, 2 opposed, 1 abstention.

MOTION [Nantz/Bernhardt] to vote on the main motion by ballot.

MOTION to vote by ballot PASSED. 8 in favor, 5 opposed, 1 abstention.

MAIN MOTION FAILED. 7 in favor, 8 opposed, 0 abstentions.

MOTION [Yarrington/Robert] that the AC was not notified about the taping which should be stopped and the tape should be turned over to the AC.

Dean Crabtree asked if the tape should be turned over to the Executive Council of the AC.

Prof. Yarrington stated that either was fine.

Prof. Massey stated that it is her tape and she could not be forced to turn it over to anyone.

Prof. Greenberg spoke against the motion since this is a public proceeding.

Prof. Nantz stated that it was not collegial to tape the proceedings and it would be a sign of collegiality to surrender the tape to the AC since the person with the tape has talked about getting legal representation, stating that this was the most uncollegial behavior that she had seen.

Prof. Dallavalle spoke in support of Prof. Nantz's position, adding that the AC has minutes for our meetings that we approve.

Prof. Massey stated that Prof. Boryczka asked her if the meeting was taped and that the AC did not yet have minutes from the last two meetings and Prof. Massey wanted to have information to tell Business School colleagues.

Prof. Yarrington stated that there was a sense of violation by being taped in regards to hostile comments.

MOTION [Dennin/Rakowitz] to call the question.

MOTION to call the question PASSED. 12 in favor, 0 opposed, 1 abstention.

MAIN MOTION FAILS. 5 in favor, 7 opposed, 1 abstention.

MOTION [Bhattacharya/Nantz] that the AC recommends that the General Faculty vote on the proposals by secret ballot.

MOTION [Dennin/Greenberg] to call the question.

MOTION to call the question PASSED. 10 in favor, 2 opposed, 1 abstention.

MAIN MOTION PASSED.

Prof. Mulvey stated that she had two motions to propose but that the AC meeting time was nearly over and that these motions were important so that the GF, FSC, and Subcommittee on Governance could move forward.

She suggested the following as a proposed motion:

The Academic Council recommends to the General Faculty that they approve the following amendment to the Faculty Handbook.

In section II.B.1.a., on line 3, delete: “, at no cost to the faculty member.”. In section II.B.1.a., between first and second paragraphs, insert: “Faculty pay no more than 10% of health care premiums for the basic health, dental and prescription drug plan. The cost of co-payment for health care premiums is based on whether the faculty member signs up for single, two-person or family coverage. Beginning in September 2009, the increase in the annual co-payments will not exceed 6% per year.

Second paragraph is first full paragraph on p. 38 of the AC 4/20/09 packet and first full paragraph on p. 40 of the GFM 4/24/2009 packet.

As we were out of time, talk turned to future meetings.

Prof. Thiel asked if the Secretary of the General Faculty had set the GF meeting to vote?

Prof. Mulvey stated that she was not sure what to do regarding these dates since the agenda needed to be sent 15 days in advance for the Thursday, May 14th meeting so the agenda had to be out in two days and she felt she could only bring forward what was done today.

Prof. Thiel stated that it was inconceivable that the process stop here since all matters needed to go to the GF.

Prof. Preli requested that we decide to adjourn and reconvene OR recess until the meeting on May 4th. Prof. Mulvey said we have had the meeting on 5/4 scheduled all year long and we should adjourn this meeting and have a regular meeting on 5/4.

MOTION [Nantz/Yarrington] to adjourn.

MOTION PASSED. 11 in favor, 1 opposed, 0 abstentions.

Meeting adjourned at 5:04 p.m.

Respectfully submitted,

Jocelyn M. Boryczka
Assistant Professor of Politics
Recording Secretary

DRAFT

**Academic Council
Minutes of Meeting
June 23, 2009**

Called to order at 2:10 p.m.

Faculty Members Present: M. Bhattacharya, J. Boryczka, N. Dallavalle, R. DeWitt (newly elected member/guest), J. Garvey (recording secretary), D. Greenberg, I. Mulvey (Secretary of the General Faculty), K. Nantz, R. Preli (Chair), S. Rakowitz, T. Robert, J. Shea (newly elected member/guest), J. Thiel, M. Tucker (newly elected member/guest), J. Yarrington

Administrative members present: V P E. Wilson, Deans Hadjimichael, Novotny

Regrets: Professors C. Bernhardt, B. Bowen (Executive Secretary), J. Dennin, D. Massey, C. Pomarico, D. Strauss; Dean Crabtree

Guests: President von Arx, S.J., Executive Vice President Weitzer, Associate Dean Boquet

MOTION (Greenberg/Robert): That the Academic Council allow newly elected Academic Council members (starting in Fall 2009) speaking privileges for this meeting.
MOTION PASSED 9-0-0.

- 1. Presidential courtesy:** Fr. Von Arx made the following statement to the Council and then left the meeting.

Thank you for the opportunity to say a few words to you at the beginning of your meeting.

As I stated in my most recent communication to the Faculty when I had the occasion to transmit a statement from the Board of Trustees, the Board wishes for a process of collaboration between the administration and the faculty over existing differences to move forward. My goal continues to be to find a resolution to the positions taken by the General Faculty and the Board. This will necessitate continued conversations between the faculty and the administration that will build on the progress that all parties have made and that will sustain this momentum over the summer.

Accordingly, I wanted to take this opportunity to signal my own willingness, and that of other members of the administration, to continue our collegial discussions with a number of faculty groups we have been talking with in the course of the past year: the Faculty Salary Committee, the *ad hoc* committee on the Journal of Record and the Academic Affairs Subcommittee on Governance under their

charge of November, 2008 from the General Faculty. I know that we have asked a lot of these individuals, but we are fortunate to have faculty members serving in these roles who blend a critical faculty perspective with an openness to resolving our disagreements. I look forward to building upon the progress that we have made with these groups through on-going discussions that will lead to a proposal for the Faculty and the Board of Trustees to consider in the fall.

This concludes my statement under Presidential Courtesy. Thank you for your kind attention and have a productive meeting.

MOTION (Yarrington/Robert): that the Academic Council allow EVP Weitzer speaking privileges for this meeting.
MOTION PASSED 10-0-0.

Professor Mulvey first expressed disappointment that the President would not stay to take questions, and turned to EVP Weitzer, noting an inconsistency between what the President just said about desiring to continue to work with the faculty over the summer to develop a new proposal and what the Board wants the faculty do, which is to vote again on the “package” in the fall. Mulvey also noted the inaccuracy of the President’s comment about the charge to the Academic Council Subcommittee on Governance (ACSG)—the charge from the 11/2008 GF meeting was only to meet with the President and EVP Weitzer by December 1, and that charge is now completed.

EVP Weitzer replied that the President was expressing his understanding of the charge, not quoting it directly. The administration will continue to work with the ACSG. He also said there is no inconsistency, that on the surface the faculty took a stance, the Board of Trustees took a stance, and the President wants to work to find agreement, with both stances moving a bit towards each other.

2. Report from the Secretary of the General Faculty:

Professor Mulvey reminded the Council that the work of any faculty committee is work delegated to the committee by the faculty, generally through the Academic Council, and so all committees have a responsibility to work within the charge given them. In the case of the ACSG, they have completed the charges given them last fall, and so the Council would need to give the committee a new charge. In general, any time issues arise that go beyond the charge given to a committee, it is the committee’s responsibility to seek guidance from the faculty, generally through the Academic Council.

3. Report from the Executive Secretary

a. Approval of minutes—postponed until September meeting

b. Correspondence

i. Memo from Prof. Dawn Massey to AC dated 6/17/09

4. Council Committee Reports: none

5. **Petitions for Immediate Hearing:** none
6. **Old Business:** none
7. **New Business**
 - 7a. **Faculty contracts (See Faculty Handbook II.A.5)**

Professor Mulvey explained the need for this meeting: The *Handbook* states that faculty receive contracts, with specific information included, before the start of the academic year; we are not receiving contracts to sign by June 30th—the AVP’s office indicated to a faculty member that there is a “problem” with faculty contracts. While it is true that we have not agreed upon a 2009-2010 MOU, the contract issue needs to be resolved and the AC needs to provide guidance.

Professor Rakowitz reiterated the lack of a new MOU and referenced her correspondence in the packet for the meeting. The administration could send out a contract that repeats last year’s MOU, but it would not have the cost-sharing for health care. The administration has said they are willing to work out an MOU. The FSC is working with the administration. One possibility the FSC has considered is a “Letter of appointment” for the Fall semester, with salary through December 2009, a temporary document for that time. It would need to reflect promotions, tenure. Language referring to new faculty is still under discussion.

Professor Bhattacharya suggested using the contract from 2008-09, with no change in salary, continuing until there is a new MOU.

Professor Rakowitz explained that a new MOU should find a way to incorporate the cost-sharing; salaries would increase in the Spring 2010. So the FSC does not want us to commit to a full year right now.

Professor Greenberg said that the faculty voted the *Handbook* change to cost-share but our proposal was rejected by the Board of Trustees, so there is currently no agreement to cost-share. At this time, it is a dead issue, and the FSC should not be trying to accommodate this without the necessary mutual agreements. It’s inappropriate for the FSC to consider drawing up an MOU that incorporates cost-sharing.

Discussion ensued about when cost-sharing might begin and whether or not a temporary document is acceptable to the faculty. Professor Mulvey noted that there was no new MOU in spring 2004 and the faculty approved the 2004-05 MOU in September. The AC could provisionally accept a new MOU in July. She expressed her concern that the FSC is not authorized to draft a new contract, that is not in their charge in the *Handbook*. The structure for the idea of a temporary document is radically different and problematic, an inadvisable path for the FSC to take, and an unauthorized path without direction from the faculty. More discussion ensued, including the observation that a new agreement might involve a *Handbook* amendment, which the AC cannot make on its own.

Professor Mulvey noted that we do not know if the administration has approved or rejected the MOU that the GF approved on May 14th. If rejected, the *Handbook* amendment is dead and the FSC should not work on it. It would be simple to take the MOU from May 14th and remove references to the \$2250, and then all should be able to agree to this, draw up contracts, and move ahead. The Academic Council should direct the FSC to get an MOU, either adopt the one approved or use the one for 08-09, and do it quickly. Cost-sharing, and all the attendant details, need to wait until the fall.

EVP Weitzer said that the administration is not willing to sign the MOU they agreed on with the FSC prior to May 14th. It is not so easy to strip it all away. The administration and the General Faculty have to agree.

Professor DeWitt said that the last time substantial changes were made to our contractual documents was about 15 years ago and it took over 6 months of hard work and a lot of consultation with attorneys. The idea of trying to make substantial changes in these documents over the course of a few weeks is a bad idea. The model from 2004 worked fine then and he recommends we follow it now, making minor alterations to the existing MOU and leaving clauses that are unproblematic. At its July meeting, the AC could recommend that the GF adopt it in the Fall. To not send out contracts and have no MOU is a bad strategy. He also noted that the faculty did agree to cost-share, but the administration and trustees rejected it. Discussion continued about the current MOU and whether or not to wait until a new one supersedes it.

EVP Weitzer disagrees with the notion that the faculty are faultless; the faculty agreed with conditions to the cost-sharing. The FSC does not make these agreements—they work with the administration.

Professor Dallavalle noted that the staff think that faculty attitudes and behavior are scandalous. Prof. Greenberg didn't see how faculty cost-sharing would help the staff in any way. He suggested that the administration could rescind the cost-sharing they imposed on the staff and that the best thing faculty could do for the staff is to encourage and help them to unionize.

Professor Preli said that it is appropriate to arrive at advice for the FSC, seeing three options: an interim letter of appointment; revision of the proposed MOU; negotiation, allowing the existing MOU to stand.

Professor Mulvey sees two options, as the FSC and the administration are contractually obliged to come to agreement or to exhaust all possibilities for a new MOU agreement before stopping their discussions. The AC should direct the FSC to follow that charge, continue to have meetings with the administration to resolve the issue and reach an MOU. This could be either developing a new MOU in one meeting or sticking with the old MOU.

Dean Hadjimichael questioned Professor DeWitt about which changes would need to be made to the MOU that the faculty approved on May 14th. Specifically, section C would

be deleted, a line in section F referring to increase in salaries would be deleted, section G would reflect new minimum salaries but not refer to a \$750 increase and subsequent percentage increases, and in section H a reference to an additional increase if faculty agreed to cost-sharing would also be deleted. Dean Hadjimichael said he would be uncomfortable with striking out all references to cost-sharing now; we should go with the old MOU.

Professor Mulvey said that the MOU has nothing about cost-sharing—the issue in the MOU is the \$2250 increase in salary to offset effects of cost-sharing in the first year. The BPO (raised by Professor Rakowitz) is not a problem as it has not been approved by the administration.

Professor Nantz said that the President and EVP are anxious and eager to continue conversations; the FSC has the obligation to move forward. The AC does not need to direct the FSC any further. The votes of May 14th are enough direction. The FSC should be trying to negotiate something mutually agreeable.

EVP Weitzer said that the administration wants to continue to talk; they are unhappy with the alternative—the Board of Trustees is involved in the MOU.

Discussion followed concerning the idea of a letter of appointment vs. an MOU and contract letter. EVP Weitzer said that the administration feels it is problematic to issue contracts—to whom do they talk?

Professor Nantz underscored that the faculty are not on contract in the summer, so there is no way of addressing the GF as a body and getting feedback, response, let alone a vote. Professor Mulvey noted that any formal change goes to the GF. She would be reluctant to call a meeting of the GF in the summer, and is concerned that the FSC is working during the summer.

VP Weitzer said that the administration is not willing to issue the contracts the faculty has had, changing the dates. The old contracts say that the “terms of the MOU” survive, and the “terms of the MOU” are different from “the MOU”. Prof. Bhattacharya asked EVP Weitzer to explain the difference. He said the administration would like to continue conversations with the FSC. Currently, we do not have an MOU and he said he did not want to answer any more questions on this.

Prof. Mulvey asked to clarify the status of the MOU. She said that the current MOU stays in effect until superseded by a new MOU and so we *always* have an MOU. We may not have reached agreement on a new MOU, but we have the current MOU.

No motion was forthcoming from the Council members. Professor Thiel stated that the FSC knows their charge; let them do it, make their own judgment, including whether and when to contact the lawyers.

7b. Discussion of the statement from the Board of Trustees

Professor Mulvey said that the Executive Committee of the AC felt that the AC could begin this discussion at today's meeting. She referred to the statement from the Board of Trustees and the new one today from the President, as well as the President's email to the GF on June 12, 2009 (on page 10 of the meeting packet), noting a necessary correction in paragraph four. The charge to the ACSG is in the approved AC minutes for September and for November, and in the approved GF meeting minutes for November. They have completed their charge. They need a new charge from the AC. Much needs clarification first, though.

MOTION (Greenberg/Nantz): That the Academic Council direct the ACSG to continue talking with the administration on governance issues and that they report back to the AC at its first meeting in September 2009.

Speaking in favor of his motion, Professor Greenberg said that the subcommittee has done good work and the AC would give the subcommittee its validation for their continuing work by passing this motion.

Professor Mulvey asked what the governance issues would be. Professor Greenberg said the change of the *Handbook*, modifications with respect to the AC, removing fiscal policies from the *Handbook*—a broad mandate.

Professor Robert spoke in favor of the motion, but noted that the subcommittee is now composed strictly of A&S faculty, and should be made more representative of the whole faculty in the Fall. Professor Yarrington also spoke in favor of continuity for the summer and change of representation in the Fall.

VP Weitzer said that the administration is willing to work with the ACSG and hopes that what the GF would vote on in the Fall would be different from the "package." It is important for the administration to work with the same group, with whom they have developed trust. Then the faculty can vote up or down what they arrive at.

Professor Dallavalle spoke in favor of the motion.

Professor Mulvey spoke in favor, but with qualifications. The representation by five A&S faculty is a problem. The ACSG should be reconstituted in the Fall with wider representation. She is uncomfortable with the AC asking people to meet in the summer because faculty are not on contract in the summer. We're in a merit pay world now and so it's especially inappropriate for the AC to mandate faculty working on governance issues over the summer. She asked the ACSG to get clarity on three items: what exactly did the Board of Trustees pass? What is the Board of Trustees asking the faculty to do? There is a process stated in the *Handbook* to follow when the Board of Trustees rejects amendments and she hopes the ACSG will remind the administration that they need to follow this process.

A motion to call the question passed with 8 in favor and 1 opposed.

MOTION PASSES. 10-0-0.

Motion to adjourn (Greenberg/Robert), passed unanimously.
Meeting adjourned 3:30 p.m.

Respectfully submitted,

Johanna X. K. Garvey

ACADEMIC COUNCIL
Minutes - July 29, 2009 Meeting

Faculty Members Present: C. Bernhardt, M. Bhattacharya, J. Boryczka, B Bowen (Executive Secretary), N. Dallavalle, J. Dennin (Recording Secretary), J. Garvey, D. Greenberg, D. Massey, I. Mulvey (Secretary of the General Faculty), K. Nantz, C. Pomarico, S. Rakowitz, T. Roberts, D. Strauss, J. Thiel, J. Yarrington

Administrative Members Present: SVPAA P. Fitzgerald, Deans R. Crabtree, V. Hadjimichael, N. Solomon, E. Wilson

Guests (Newly elected members): S. Bayne, R. DeWitt, D. Lyon, M. Tucker

Observer S. McEvoy

The meeting was called to order at 2:00 PM.

Chair Preli was unavailable for the meeting and Prof. Bowen, Executive Secretary of the Council, was elected chair pro tem unanimously.

MOTION: to allow all guests and observers speaking privileges

MOTION PASSED UNANIMOUSLY.

1. **Presidential Courtesy.** None.
2. **Report from the Secretary of the General Faculty.** None.
3. **Report from the Executive Secretary.** None.
4. **Committee reports.** None.
5. **Petitions for an immediate hearing.** None.
6. **Old Business.** None.
7. **New Business.**

The bulk of the meeting consisted of a discussion of the Contract Extension letter to be sent out by the administration and motions pertaining to it. I have tried

to capture the gist of the questions and concerns on the document.

Rakowitz: gave a brief history of the process leading to the letter. The administration had proposed a Letter of Appointment which the Faculty Salary Committee (FSC) took to an attorney paid for by the Faculty Welfare Committee/AAUP. He pointed out problems with the document particularly that it broke the continuity of the contracts and a number of faculty protections. The FSC returned to the table and discussed a number of options. The administration offered the extension letter which the FSC took to the attorney who suggested some language changes which preserved the continuity of the contract and faculty protections. The changes were accepted by the administration.

Massey was concerned about the timing and the short notice for the AC. Also asked: wasn't the contract renewed automatically?

Rakowitz: the FSC felt the faculty would be more comfortable with something in hand.

Tucker: letter says the administration recognizes reality.

Massey: The contract terms extend indefinitely; the letter does not contain that clause.

Rakowitz: our attorney says that is no problem because the letter extends all the terms of the current contract.

Boryczka: Untenured people are very concerned and insecure; a letter will likely reassure them. New people need something.

Rakowitz: brand new faculty will get a contract.

Bernhardt: the deadline in the extension is Jan. 1. Can we get a new MOU by then? Is there still a threat to impose cost sharing?

Rakowitz: Yes there is enough time; yes the threat remains.

Massey: New people sign a contract? Concerned about last line in 1st paragraph saying your tenure status remains unchanged, what about those who just got tenure? What about

promised market equity adjustments? Why a revised BPO necessary?

Rakowitz: New people will have a contract to sign; the line will be out for newly tenured people; a revised BPO will be part of the new MOU.

MOTION. (Nantz, Rakowitz): **The AC acknowledges receipt of this contract extension letter and recommends the faculty accept it.**

Tucker: Do we need to approve the letter? (Rakowitz: No)

Greenberg: we should take no action; we do not have to sign anything.

Bernhardt: Should the faculty sign the letter? (Rakowitz: No, and they won't be asked to sign the letter.)

Nantz: in favor of the motion. This is a difficult issue and not clear we need this. But it (1) provides assurances for untenured and new people and (2) assurances that the MOU will carry through. People are asking where is the contract? This provides assurances for the next academic year. The assumption is you've accepted the terms of the extension if you show up in September.

Mulvey: please focus on the motion

Bhattacharya: Can the attorney draft a letter on our behalf?

DeWitt: the attorney did draft a letter before the administration offered the extension; no difference between the extension and the attorney's letter; I agree the attorney's position is accurately described; am concerned about the short notice.

Dallavalle: against motion. No signature required on the letter; no need to accept. Need someone (FSC?) to tell the faculty what to do.

Massey: Is FWC newsletter appropriate way to communicate to the faculty? ~~Concern: does the budget passed by the Board control the process?~~ We have a procedure in place to handle situations such as the one we are in this year when we cannot agree on an MOU and that process is for the budget

passed by the Board to be used to craft an MOU. By recommending that faculty "accept" the contract extension, we will not be following the process we already have in place and, accordingly, we would be acting in a manner contrary to our own procedures.

Mulvey: suggests this is out of order.

Hadjimichael: motion sets the stage for negotiation, fills a gap.

Rakowitz: important to get information out to the faculty; the FSC will send out a letter.

MOTION: (Greenberg, Dennin) To call the question.
MOTION FAILED: 7 - 8.

Massey: Draft our own letter for our peace of mind.

Mulvey: spent a ton of money on attorney's fees already; faculty needs information from FSC; weakly against motion.

Nantz: still for her motion. FWC wrote language to protect us; the attorney agrees this extension letter is the same.

MOTION⊗**Thiel, Greenberg) To Call the question.**
MOTION TO CALL QUESTION PASSED: 11 - 2.

MAIN MOTION FAILED: 3 - 12.

MOTION. (Dallavalle, Dennin) The Academic Council, having discussed the contract extension letter from President von Arx, asks the Faculty Salary Committee to circulate an explanatory memo describing the collegial discussions that preceded the letter.

Tucker: The FSC should mention the attorney in the memo.

Thiel: in favor; how to circulate it; through the Faculty Secretary.

Rakowitz: in favor. We will certainly mention the attorney.

MOTIONⓈ(Greenberg, Dennin) To Call the question.
MOTION TO CALL QUESTION PASSED: 15 - 0.

MAIN MOTION PASSED: 15-0.

The discussion now moved to the issue of job security.

Bernhardt: (To SVPAAs Fitzgerald) Will all faculty be renewed? What about academic staff?

Fitzgerald: We are doing well at the moment. Our return rate for freshmen was about 91% and the junior and senior rate was above expected. The student population looks fine. We used 2.3 million for returning student aid. 19 current students need additional aid. The layoffs paid for the increase in financial aid. There are no plans for additional cuts in staff and faculty. We are continuing our tenure track searches. If we go down 100 students or so, we will need more action. There are currently no plans to cut academic staff.

Nantz: 1. Overjoyed about the news of the returning students.
2. FWC had a letter in its newsletter. FWC wants more openness about the layoff procedures and urges formation of a university wide committee to deal with this issue.
3. As FWC president, I thank all the FWC members for supporting the organization - the funds are crucial.

Massey: advocates for openness and transparency; develop a policy for deciding who will be let go and guidelines on how to handle layoffs.

DeWitt: untenured faculty do have protection in the timetable of notification for non renewal of contract.

8. **Adjournment:**

MOTION: (Dennin, Rakowitz) To adjourn.
MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 3:21.

Joe Dennin

Subject: Statement from the Board of Trustees
Date: Friday, June 12, 2009 11:27 AM
From: Faculty Announcements <facultyannounce@fairfield.edu>
Conversation: Statement from the Board of Trustees

Dear Colleagues:

I am forwarding to you the attached statement from the Board of Trustees following their meeting of June 4. On that occasion, the Board had the opportunity to hear, through a report of the Academic Affairs Committee, an account of faculty actions at the May 14 meeting of the General Faculty, as presented to them by the Committee on Conference, the Secretary of the General Faculty and members of the Faculty Salary Committee who were present at the meeting of the Academic Affairs Committee.

The Board acknowledges the progress that was made in the passage of a number of significant changes regarding the appointment of chairs in the College of Arts and Sciences and the charge of the Faculty Salary Committee. In addition, they understand that the faculty came very close to passing the motions concerning the Academic Council and that they did pass an alternative motion that removes “at no cost” from the health care provision in the *Faculty Handbook*.

On the other hand, the Board is clearly disappointed that the faculty chose not to pass the package of reforms that represented a compromise between the administration and the faculty that was negotiated between the administration and the faculty’s own representatives on the Academic Council Subcommittee on Governance. The Board, in turn, passed the entire package that was negotiated between the administration and the Subcommittee.

The Board wishes the faculty to reconsider its vote, and by the Board’s approval of changes in the *Faculty Handbook* agreed upon by the administration and the Academic Council Subcommittee on Governance, it is formally requesting that the faculty do so. The Board is clearly aware of its role as a party to the amendment of the *Faculty Handbook*, as it is aware of its responsibility to resolve matters of major policy where agreement cannot be reached through normal channels.

It is clear to me that the Board wishes for a process of collaboration between the administration and the faculty over existing differences to move forward. As I stated in my letter to the faculty in advance of the Board meeting, my goal continues to be to find a resolution to these issues that we all can live with. This will necessitate continued conversations between the faculty and the administration that will build on the progress that all parties have made and that will sustain this momentum over the summer. The Board is committed as well to a model of shared governance, and it certainly wants to see the faculty and the administration work this model out together without its interference.

Jeffrey von Arx, S.J.

<<Board Statement to Faculty.doc>>

Statement from the Fairfield University Board of Trustees, June 12, 2009

At its regular meeting on June 4, the Board of Trustees voted unanimously to accept the package of recommended changes in University policy and governance that was presented to us by President von Arx. This vote includes changes to the *Faculty Handbook* that the Board will formally submit to the faculty for its approval.

We, as trustees, have both a legal and fiduciary responsibility to ensure the academic and financial health of Fairfield University. Our responsibilities and concerns are not only focused on the immediate financial impact of issues. We take a long term view of the institution as a whole – the strategic plan, the quality of our faculty and students, academic freedom, and more – as all of these aspects of the institution relate to the long-term success of the University.

The Board has been very pleased with the inclusive process that drove the development of the strategic plan, but we share the concern of the Commission on Institutions of Higher Education of the New England Association of Schools and Colleges (NEASC) about the institution's ability to fully implement the plan with our present governance structure. In their 2007 report, the NEASC evaluation team identified governance as a concern for the University. They informed the University community that “[t]here is a need to rethink governance as university or institutional governance, and to reconsider the different roles within university governance of faculty, administration, trustees, staff and students in ways that lead to collaborative, collegial, shared (university) governance. From the perspective of key constituencies (faculty, staff, administration and trustees) the system is too complicated and cumbersome and needs to be fixed.”

While the commissioners went out of their way to praise the self-study, the strategic plan and all that Fairfield University has accomplished since their last visit, they also informed us that the University must submit a report in the fall of 2009 that gives emphasis to our success in “completing the review of [. . .] governance processes currently underway and implementing, as appropriate, the recommendations arising from that review.”

Upon receiving this report, the Board authorized the President to develop a plan to address these concerns and present this plan prior to the fall of 2009. Consequently, Fr. Von Arx established the Blue Ribbon Commission on Governance (BRC) comprised of four faculty members, four administrators and two higher education outsiders to examine governance at Fairfield. In May, 2008, the BRC submitted a report with far-ranging observations and recommendations about governance. One of the BRC's recommendations was to examine and possibly divide the *Faculty Handbook*. Father von Arx then appointed a *Faculty Handbook* Working Group to review and make recommendations concerning the *Faculty Handbook* and the *Journal of Record*. This group submitted their report in September, 2008.

The Academic Council established the Academic Council Subcommittee on Governance – made up of Professors Don Greenberg, Kathy Nantz, Susan Rakowitz, John Thiel, and Jo Yarrington – who reviewed the reports of the BRC and the *Faculty Handbook*

Working Group and submitted a report to the Academic Council. At the November, 2008 meeting of the General Faculty, a resolution was passed requesting that the Academic Council Subcommittee on Governance meet with the administration to resolve differences between the Subcommittee's response and the position articulated by the President on that occasion.

Father von Arx and Executive Vice President Billy Weitzer met with the Academic Council Subcommittee on Governance on numerous occasions throughout the academic year. The result of this six month process was a package of intensely negotiated reforms that support a new model of shared governance at Fairfield University, a system of merit pay that includes annual self-evaluation with feedback from department Chairs, Chair selection in the College of Arts and Sciences with a role for the Dean, a review of fiscal policies in the *Faculty Handbook* and a more transparent communications practice for making agendas and reports more readily available.

The package of measures approved by the Board represents the culmination of the President's efforts and leadership over the past two years to engage numerous members of the administration, the faculty and outside consultants not only to develop a response to the issues identified by NEASC, but to effect real change in the way Fairfield University operates. The Board was pleased with the package that was presented to them and on June 4 voted to support the President's vision for a new model of governance at Fairfield University.

The Board takes this opportunity to thank and support the work of the members of the faculty and administration who actively participated in this arduous two-year process. The Board appreciates the significant progress that has been made, including the acceptance or near acceptance of several of the measures in the package. However, the Board believes that the entire package, negotiated between the President and the Academic Council Subcommittee on Governance, should be passed. Thus, the Board decided to pass the package and reject the alternative motion offered by the faculty to remove "at no cost" from the health care provision in the *Faculty Handbook*, but to leave the remainder of the Fiscal Policies section of the *Faculty Handbook* unchanged.

The Board recognizes that the faculty has a significant professional and economic stake in the University and considers the perspective of the faculty in our decision making. We also have an obligation to our students, parents, alumni, donors, as well as to state, federal, and accrediting agencies. This obligation creates a responsibility to ensure the University's overall health through the wise and effective use of all of its resources. Therefore, in making our decisions about the overall welfare of the University, the Board must always look to the broader picture of the institution.

In the view of the Board, it is truly unfortunate that the vote of the General Faculty on May 14th does not reflect this same support of the President and the package negotiated with its own chosen representatives. Consequently, the Board clearly and unequivocally affirms that its vote represents a willingness to accept the package of proposals that were presented to the General Faculty on May 14th, provided that the General Faculty also

votes in favor of all such measures. The Board therefore respectfully requests that the faculty re-visit the issues at its earliest convenience.

If the faculty votes in favor of all measures that make up the package, the Board will act swiftly to ensure that the measures are implemented promptly. If the faculty should decline to re-visit their vote or should fail to adopt the package that was put forth by the President and the Academic Council Subcommittee on Governance, the Board will, in accordance with its fiduciary duty and its obligation under the *Faculty Handbook* to resolve matters of major policy where agreement cannot be reached through normal channels, consider its responsibility to make decisions that it believes to be in the best interests of the University. The Board prefers not to be placed in a position where it must act in this fashion and this is not its desire.

Fairfield University has undergone significant changes over the last five years, with new administrative leadership and a new strategic plan. Furthermore, there is improved trust and communication between the faculty and the administration. The Board believes that all these changes should be embraced. Our decision on June 4 was reflective of the Board's support of a collaborative process that encompassed five years of University effort. It was also a vote endorsing the President's strategic vision for this institution. Ultimately, as the fiduciaries of Fairfield University, the Board voted in support of shared governance and now calls upon the faculty to do the same.

Subject: Contract and Board of Trustee Issues
Date: Tuesday, June 16, 2009 3:07 PM
From: Irene Mulvey <mulvey@mail.fairfield.edu>
To: <president@fairfield.edu>
Cc: <wweitzer@fairfield.edu>
Conversation: Contract and Board of Trustee Issues

Dear Jeff,

I was away at the Annual Meeting of the AAUP for the last week or so and am just now catching up on email, etc. Your email to the faculty along with the attached statement from the Board of Trustees raised a couple of questions/concerns for me that I wanted to ask you about as a formal response is prepared.

1. Question: What exactly did the trustees vote to accept? I need to see the document that they approved and, ideally, the minutes of their meeting. It is referred to in their statement as "the package of recommended changes in University policy and governance that was presented to us by President von Arx", but I need the formal document they approved in order to understand their actions. Also, with regard to the amendment that we sent them which they did not approve, as you probably know, you or your designee need to communicate the Board's reasons in writing to the Faculty Secretary by July 4 (Handbook page 4).

There are a couple of major factual errors in your email and the Board's statements. (How is the Board so misinformed on the following 2 items?)

2. Factual Error: The Board's statement asserts that the AC Subcommittee on Governance was charged by the faculty "to resolve differences between the Subcommittee's response and the position articulated by the President [at the November General Faculty meeting]." This is totally inaccurate as the AC minutes from 08-09 and the GF minutes from 11/09 indicate.

3. Factual Error: Most importantly, I am stunned to read that the Board seems to have the impression – or to have been given the impression by the administration – that it is the Board's "responsibility to resolve matters of major policy where agreement cannot be reached through normal channels". Of course, they are referring to paragraph 2 on page 1 of the Faculty Handbook, but that paragraph clearly refers only to educational policies as it is under the heading Educational Policies. The idea that the Board can use this paragraph to unilaterally change the Faculty Handbook is completely wrong as changes to the Handbook are covered in item 8 on page 3. The fact that the trustees are so wrong on this matter is a very serious problem.

4. Immediate Problem: The major problem right now is faculty contracts. The administration is required per the Handbook to provide formal contracts prior to appointment with a variety of conditions of employment spelled out. Without an approved MOU (assuming the administration rejects the faculty-approved MOU), our contracts will need to reference last year's MOU since it remains in effect until superseded by a new MOU. Typically, the deadline for sending contracts back has been 6/30.

There is more to say and I will be communicating with the AC, which is holding a summer meeting on 6/23, and the FWC, which will probably need to re-consult with our attorney on the contract issue, but I hope these few items can be clarified quickly.

Thanks,
Irene

MEMORANDUM

TO: Irene Mulvey, General Faculty Secretary
FROM: Jeffrey P. von Arx, S.J.
RE: Faculty Handbook
DATE: June 29, 2009

The Board of Trustees met on June 4 and voted on the several motions. In three votes (see A, B and C below), the Board voted on seven amendments, six to the *Faculty Handbook* and one to the *College Governance Document* of the College of Arts & Sciences. (The full text of each motion is attached at the end of this memo.)

A. The Board approved the *Faculty Handbook* amendment on Professors of the Practice (amendment #1) and the Amendment to College of Arts and Sciences governance procedures (amendment #2) to establish that the Dean has the right to approve or deny the appointment of a Chair and to revise the charges to College governance committees and responsibilities for the Dean and Program Directors.

B. The Board approved the “package” of four changes related to governance and fiscal policies:

1. Modification to the *Faculty Handbook* to give voting rights to three administrators – the Senior Vice President for Academic Affairs and two Deans appointed annually by the Senior Vice President for Academic Affairs – and to the Secretary of the General Faculty (amendment #3).
2. Modification to the *Faculty Handbook* to expand the Executive Committee of the Academic Council to include the Senior Vice President for Academic Affairs and a senior administrator appointed annually by the Senior Vice President for Academic Affairs (amendment #4).
3. Modification to the *Faculty Handbook* to define the role of the Faculty Salary Committee to include a review of the Benefits Plan Overview for Full-Time Faculty (amendment #5)
4. Modification to the Fiscal Policies and Faculty Services sections of the *Faculty Handbook* to remove fiscal commitments and other details from the *Faculty Handbook*. What remains in these sections are descriptions of benefits while fiscal commitments are moved to the Benefits Plan Overview for Full-Time Faculty (amendment #6).

C. The Board rejected the motion offered by the General Faculty to remove “at no cost” to the faculty member from the health care provisions of the *Faculty Handbook* because that motion reflected only part of the language included in the package they approved (item B.4. above) and includes additional conditions that are not acceptable without passage of the full package.

Report of the Academic Council Subcommittee on Governance

September 1, 2009

Subcommittee Membership: Professors Donald Greenberg, Kathryn Nantz (Chair), Susan Rakowitz, John Thiel, and Jo Yarrington

At its June 23, 2009 meeting, the Academic Council authorized its Subcommittee on Governance to continue talks with senior administrators during the summer. Our subcommittee has done so in several meetings. Our report and recommendations to the Academic Council follow.

BACKGROUND

In his June 12, 2009 e-mail to the General Faculty, President von Arx reported that the Board of Trustees acknowledged the progress that faculty and administrators had made in resolving some of the contested issues under discussion during the past academic year. Yet, he stated, the Trustees were disappointed that the faculty, at its May 14, 2009 meeting, did not pass the entire “package” of items negotiated by senior administrators and the Subcommittee on Governance. At their June 4, 2009 meeting, the Trustees voted to approve the entire package of items and requested that the General Faculty reconsider its last position.

In his June 12 e-mail, President von Arx repeated a statement he had made in an earlier e-mail on June 2, 2009: “my goal continues to be to find a resolution to these issues that we all can live with. This will necessitate continued conversations between the faculty, the administration and the Board to see if there is a resolution between the positions voted on by the Faculty on May 14 and the actions of the Board on June 4.” Our subcommittee has worked with the senior administrators during the summer to find such a resolution.

Last semester, our subcommittee’s work proceeded in tandem with the work of the Salary Committee. During the summer discussions, the Salary Committee reached agreement with the administration on a modified proposal regarding salary and fiscal policy matters that it will report to the faculty under separate cover. Therefore, our subcommittee’s task is to focus on the governance issues unrelated to fiscal policies in the original package.

At our final meeting with the senior administrators on August 25, President von Arx and Executive Vice-President Weitzer were clear in stating that they were fully committed to the principle of shared governance. They believed this principle was best conveyed by the *Handbook* changes proposed in the original package that

called for an extended participation of academic administrators at the Academic Council.

In this meeting, our subcommittee responded that we, and the entire Fairfield faculty, are committed to the principle of shared governance, and that we believe shared governance has been practiced well at Fairfield throughout nearly all of our history. We stated too that we were open to constructive changes in our governance structures that reflected our commitment to shared governance. We were concerned, however, that the same flexibility that led to a modified proposal on fiscal policy issues was needed on governance issues, so that, again in the President's words, we could try to reach "a resolution between the positions voted on by the Faculty on May 14 and the actions of the Board on June 4."

RECOMMENDATIONS

To that end, our subcommittee has crafted a proposal that we believe is faithful to the spirit of the original package and yet settles in that space between the positions voted by the faculty on May 14 and by the Trustees on June 4. The first two items below propose revised *Handbook* amendments regarding Academic Council voting privileges that we believe offer a good compromise on these issues. Items 3-7 expand occasions for shared governance in our current structures by adding additional items that were not presented to or voted on by the faculty at its May 14 meeting. These new items represent what we believe are important opportunities to formalize structures and processes in ways that will increase collaboration among faculty, administrators, and the Board of Trustees. We recommend that the Academic Council approve these proposals and forward its approval to the General Faculty for its consideration.

1. HANDBOOK AMENDMENT ON ACADEMIC COUNCIL VOTING PRIVILEGES

The subcommittee recommends that the Handbook be amended to extend voting privileges at the Academic Council to the Secretary of the General Faculty and the Senior Vice-President for Academic Affairs.

Rationale: The extension of voting rights to administrators on faculty *Handbook* committees is hardly unprecedented. In fact, it is typical. Academic administrators currently have *ex officio* voting rights on 7 *Handbook* committees: Research, Undergraduate Curriculum, Library, University Advancement, Educational Planning, Faculty Development and Evaluation, University College. At the Academic Council, the Academic Vice-President and the Deans of Schools currently are *ex*

officio nonvoting members. They have been ardent participants in policy discussions and their collaborative contributions have been, and will continue to be, valued highly by the faculty. As a structural sign of our commitment to this collaboration in service to the university, it would be productive to amend the *Handbook* to extend *ex officio* voting privileges on the Council to the highest academic administrator and to the highest faculty officer.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.B.2, second paragraph, added language proposed for amendment in bold; excised languages in ~~strikeout~~:

Ex officio members of the Academic Council are the **Senior Vice-President for Academic Affairs** ~~Academic Vice President~~, the Deans of the Schools and the Secretary of the General Faculty. **The Senior Vice-President for Academic Affairs and the Secretary of the General Faculty are *ex officio* voting members.**

This amendment requires the following correction at I.B.2, sixth paragraph, added language proposed for amendment in bold; excised language in ~~strikeout~~:

The right to vote and/or to make and second motions is limited to faculty members elected to the Council and those *ex officio* members designated above as voting members. Other *ex officio* members do not have these rights. ~~Only the elected faculty members on the Council have the right to vote and/or to make and second motions. *Ex officio* members do not have these rights.~~ All Council members have the right and privilege of discussion. Additionally, the opportunity for direct communication from the President of the University to the members of the Council is afforded at all meetings in the Order of Business.

In the interests of sharing authority among faculty officers, we recommend that the Secretary of the General Faculty not be entitled to serve as Chairperson of the Academic Council. This requires the following correction at I.B.6, first paragraph, added language proposed for amendment in bold:

The Academic Council shall, at its first meeting of the year, elect from its current **elected** membership a Chairperson for the ensuing year.

2. HANDBOOK AMENDMENT ON THE EXECUTIVE COMMITTEE OF THE ACADEMIC COUNCIL

The subcommittee recommends that the Handbook be amended to authorize an Executive Committee of the Academic Council composed of the Council's Chairperson, the Council's Executive Secretary, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The task of the Executive Committee is to plan the agenda for meetings of the Council. The dialogue that ensues in meetings of the Executive Committee also will provide an opportunity for faculty leadership and the SVPAA to identify and solve problems that can be adjudicated informally.

Rationale: The meeting of the "Executive Committee" of the Academic Council is a practice that has transpired for some time, even though such a committee, as such and in its practiced form, has no standing in the *Handbook*. The *Handbook* stipulates that the Chairperson and Executive Secretary of the Council establish the agenda for Council meetings. Under long-established practice, the Secretary of the General Faculty also participates, even though the *Handbook* does not authorize such participation. Of course, the current practice makes good sense, since the Secretary of the General Faculty should be most fully informed of faculty issues, is an important resource person for such work, and provides continuity (and wisdom!) from year to year. For these very same reasons, the Senior Vice-President for Academic Affairs should also serve as a member of the Executive Committee. Moreover, the Executive Committee's monthly meetings during the academic year will provide a formal, scheduled opportunity for three faculty leaders to meet together with the senior academic administrator. In addition to the typically perfunctory work of preparing the Council's agenda, such meetings can provide opportunity for productive dialogue that can identify and avert problems in the academic division before they grow and fester.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.B.10, added language proposed for amendment in bold; excised language in ~~strikeout~~:

10. Agenda

Any member of the University community may suggest topics for the Council's consideration. However, the Council, subject to specific instructions by the General Faculty, shall determine which items to accept for placement on the agenda. **The Executive Committee of the Academic Council establishes the agenda of Council meetings. The members of the Executive Committee are the Chairperson and Executive Secretary of the Council, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The**

Chairperson of the Council serves as Chairperson of the Executive Committee. The Executive Committee is also available to consult with faculty and administrators on the best way to address issues within the governance structure.

This description of the work of the Executive Committee in I.B.10 requires the deletion of I.B.6c,

I.B.6. Position of Chairperson of the Council

The Academic Council shall, at its first meeting of the year, elect from its current membership a Chairperson for the ensuing year. The term of office is fixed for one year. The functions of the Chairperson are:

- a. To serve as presiding officer during the course of Council meetings and to enforce the operating procedure adopted by the Council. In the absence of the Chairperson the Council shall designate a substitute from its membership, ex officio or elected.
- b. Serve as its official representative to outside groups.
- ~~c. With the Executive Secretary establish the agenda for the meetings.~~

This description of the work of the Executive Committee in I.B.10 requires a change in the description of the position of the Executive Secretary in I.B.7, added language proposed for amendment in bold; excised language in ~~strikeout~~:

7. Position of Executive Secretary

The Executive Secretary is elected from the **elected** membership of the Council. The Executive Secretary is responsible for the following: (a) implementation of the actions of the Council; (b) arranging meetings **of the Council and of the Council's Executive Committee**, ~~and, in conjunction with the Chairperson, establishing the agenda~~; (c) communicating the work of the Council to the President and the General Faculty; ...

3. HANDBOOK AMENDMENT ON THE PUBLIC LECTURES AND EVENTS COMMITTEE

The subcommittee recommends that the Handbook be amended to add the Vice-President for Marketing and Communications as an ex officio nonvoting member of the Public Lectures and Events Committee.

Rationale: Under recent administrative reorganization, the Quick Center for the Arts now stands under the authority of the Vice-President for Marketing and Communications. Moreover, the Vice-President's expertise in marketing public lectures and events makes the addition of the holder of this position to this *Handbook* committee essential to its mission.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.C.b.9, first paragraph, added language proposed for amendment in bold; excised language in ~~strikeout~~:

Four members elected from the faculty with three-year overlapping terms, and two students elected by the Student Legislature. **The Vice-President for Marketing and Communications and the Director of the Quick Center for the Arts** shall be a members *ex officio*.

4. HANDBOOK AMENDMENT ON THE APPROVAL OF SCHOOL GOVERNANCE DOCUMENTS

The subcommittee recommends that the Handbook be amended to give the authority for the approval of the governance documents of schools to the President of the University.

Rationale: While it is crucially important that the Board approve *Handbook* changes, the circumscribed and comparatively local character of School governance documents suggests that the approval of changes in such documents be placed under the purview of the University President.

We recommend that the Academic Council approve the following motion to amend the Faculty Handbook:

At I.D.3, added language proposed for amendment in bold; excised language in ~~strikeout~~:

Each School's faculty shall determine its own structure of governance, subject to the approval of the **University President** ~~Board of Trustees~~. The faculty of a School or the **University President** ~~Board of Trustees~~ may propose amendments to a School's initial governance document. All amendments must be accepted by both the **University President** ~~Board of Trustees~~ and the faculty of the School in question.

5. FORMALIZING THE RELATIONSHIP BETWEEN HANDBOOK COMMITTEE CHAIRS AND BOARD COMMITTEES

The subcommittee recommends that the Academic Council establish a subcommittee to formulate a Handbook amendment that formalizes the current practice of Handbook committee chairpersons sitting as nonvoting members on comparable committees of the Board of Trustees, considers the relationship of these chairs with the Committee on Conference with the Board of Trustees, and notes their responsibility to report, when appropriate, to the Academic Council and the General Faculty.

Rationale: Last year the Board began inviting relevant committee chairs to attend the meetings of related Board committees. This proposal formalizes the role of Faculty Handbook committee chairpersons extended by the Board of Trustees. This process needs to be included in the *Faculty Handbook* as part of the charges to the appropriate committees, and the relationship between these chairs and the Committee on Conference needs to be considered.

6. UNIVERSITY COUNCIL AND STUDENT LIFE

The subcommittee recommends that the Academic Council establish a subcommittee to consider the value of folding the work of the University Council into the Student Life Committee.

Rationale: This recommendation will bring resolution to long-standing issues regarding the relationship between the University Council and the Student Life Committee. Since the work of these committees often seems to overlap, and since the University Council's description in the *Handbook* is so nebulous, we believe that a discussion among students, faculty, and administration on this matter is long overdue.

7. EXPANDING FACULTY REPRESENTATION ON THE BUDGET COMMITTEE

The subcommittee recommends that the Academic Council pass a motion that requests the University President to add the chairpersons of the Salary Committee and the Educational Planning Committee to the membership of the University Budget Committee.

Rationale: Over ten years ago, the university administration agreed to allow elected faculty representatives to sit in on the university's Budget Committee. (This committee was then called the "Finance Committee", but the name was changed to avoid confusion with the Board's Finance Committee, which has a very different role.) Faculty have since been electing such representatives, and three faculty have been participating in the work alongside the vice presidents, the executive vice president, and representatives from the student body and staff.

This recommendation would improve shared governance by 1) increasing faculty participation in conversations regarding the allocation of key campus resources, and 2) placing elected chairpersons of standing faculty committees that conduct business often related to the allocation of resources in conversation with the broader context of resource needs on campus. This broadening of faculty participation in substantive conversations regarding fiscal resources would contribute significantly to the budgetary process.

CONCLUSION

We believe that our work as a subcommittee is now complete, though we would be pleased to present these proposals to a wider faculty audience. We urge the faculty representatives at the Academic Council to approve these proposals. Our conversations with President von Arx and Executive Vice-President Weitzer were not conducted under propitious circumstances. These conversations were always frank and at times testy. But they were always respectful, collegial, and full of commitment for doing the best for Fairfield's many constituencies. We believe that these discussions have been a good model for what an even more collaborative future for faculty and administration might be.

Date: February 20, 2009
To: Members of the Executive Committee of the Academic Council
From: Mousumi Bhattacharya, Dawn Massey, Debra Strauss
Re: Faculty input in graduate curriculum and pedagogical matters

Background

Fairfield University is taking a number of initiatives to emphasize graduate education. Goal #3 of the University's Strategic Vision is:¹

Integration of Jesuit Values in Graduate and Professional Education

- A. The graduate schools will develop a comprehensive plan to promote and support the power of a Catholic and Jesuit education for all Fairfield students.
- B. Fairfield's graduate and professional programs will foster and support enhanced diversity among their faculty and students.
- C. Using data-driven strategies, the University will enhance the quality of graduate, professional, and part-time programs, and define and market what distinguishes Fairfield from other regional competitors.

Concern

At present there is no mechanism for across-the-university faculty input into the process of implementation of this goal, especially as related to pedagogy, curriculum and effect on faculty. Further, it is not clear how graduate committees of the various schools are involved in the process but they do not appear to have input on curricular matters of concern to the university as a whole. This observation has been made recently in connection with items that have been raised for consideration in the Academic Council and the Undergraduate Curriculum Committee.

Request

We request the Academic Council to set up a subcommittee to study these issues and provide recommendations about what, if anything, should be done to address the concerns raised. In particular, we feel that the subcommittee should consider:

1. Whether a Graduate Curriculum Committee (GCC) should be established.

We would see a GCC as being similar to the present Undergraduate Curriculum Committee (UCC), which has been described as having the following:²

General Purpose

To keep under continual review the current curriculum patterns, to assess proposals from any source, and to make recommendations to the faculty, and appropriate agents.

¹ See: **LEARNING AND INTEGRITY: A Strategic Vision for Fairfield University** (page 3) (extracted from http://www.fairfield.edu/documents/about/about_strategic_vision.pdf).

² Faculty handbook (page 13) (extracted from <http://www.faculty.fairfield.edu/gfs/fhb2006.pdf>).

Specific Duties

To review and evaluate undergraduate curriculum: (a) the structure and content; (b) special programs; (c) summer school and continuing education programs; (d) academic requirements for, and quality of, undergraduate degrees.

In these areas it shall encourage and receive reports and recommendations from all sources.

It shall also look into such questions on its own initiative.

2. *Whether the charge of the Admissions and Scholarships Committee (ASC) should be revised to include consideration of graduate admissions/scholarships*

As part of the specific duties of the ASC, the committee's charge (with respect to formulating and reviewing standards for student admissions) is limited to undergraduate students.

3. *Whether a Graduate Student Life Committee (GSLC) should be established.*

We would see a GSLC as being similar to the present Student Life Committee (SLC), which has been described as having the following:³

General Purpose

To study and make recommendations concerning nonacademic aspects of student life: extracurricular activities, student health and welfare services, food services, dormitories, undergraduate conduct and life style. The Committee will normally carry out its duties through the University Council but will also report to the Academic Council and the General Faculty as appropriate.

Although the SLC is not limited by its purpose to considering issues related to undergraduate students, in practice, the committee has focused its efforts on issues of concern related to undergraduates. Accordingly, we believe thought should be given to establishing a Student Life Committee whose purpose is to consider issues concerning the nonacademic aspects of graduate student life.

Conclusion

Given Goal #3 of the Strategic Plan, it would seem appropriate to consider the role of graduate students/programs in our extant faculty committee structure. We hope you will agree.

³ Faculty handbook (page 14) (extracted from <http://www.faculty.fairfield.edu/gfs/fhb2006.pdf>)

Proposed Motion from the Executive Committee

MOTION. That the Academic Council form a subcommittee to study and make recommendations on ways in which all aspects of graduate education can be more fully integrated into our faculty committee structure and the University community. The subcommittee will consist of three faculty members involved in graduate education and from three different schools, and an academic administrator from University College, appointed by the UC Dean.

September 1, 2009
To: Academic Council
From: Faculty Salary Committee*
Re: Proposal to amend the Faculty Handbook

In order to resolve the impasse over reaching agreement on a 2009-2010 Memo of Understanding (MOU), the FSC has engaged in collegial discussions with the administration this summer. We have reached compromises that result in the attached proposal. For this proposal to be enacted, the procedure calls for a recommendation from the Academic Council and approval from the General Faculty and the Board of Trustees. We therefore ask the Academic Council to recommend to the General Faculty that:

The Handbook be amended by replacing section II.B., Fiscal Policies, with the attached text.

As can be seen from the overview provided in the attached “roadmap” and the proposed text itself, the amendment entails three primary changes: removing “at no cost” from the description of faculty health insurance; moving the specification of the amount of the university’s contribution to faculty retirement accounts from the Handbook to the Benefits Plan Overview (BPO), an appendix of the MOU; and moving the details of faculty life insurance coverage from the Handbook to the BPO. These changes reflect the stated desire of the administration and Board of Trustees to have faculty cost-share healthcare premiums and to restructure the way some benefits are presented and protected. The changes are offset by a number of negotiated agreements presented in the MOU, BPO and Merit Guidelines. (The proposed MOU and BPO are attached for reference only; they will be presented directly to the General Faculty for approval.) In the context of the Board’s stated intention to act unilaterally in the absence of faculty action, we believe that the proposed amendment and accompanying MOU, BPO, and Merit Guidelines represent the best available compromise on these issues.

The Guidelines for Faculty Merit Review and Self-Evaluation that were passed overwhelmingly by the General Faculty in May are also attached. This document contains the guarantee that there will be no additional merit unless the standard merit increase is above CPI. Because this guarantee is an essential part of faculty cost-sharing of healthcare premiums, but the administration did not accept the Guidelines for inclusion into the Journal of Record by the statutory deadline, the General Faculty needs to reaffirm its support for the Guidelines. We ask the Council to recommend that the General Faculty approve The Guidelines for Faculty Merit Review and Self-Evaluation. That way the General Faculty can consider the Fiscal Policies amendment contingent upon the administration’s acceptance of the Guidelines and the MOU with its appended BPO.

*David Crawford
Joseph Dennin
Rona Preli
Susan Rakowitz (Chair)
Cheryl Tromley

Draft Roadmap to the Proposed Changes to the Handbook, MOU and BPO, 8/25/009

Commitment to the 95th percentile

- The statement, “The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations,” remains in the Memo of Understanding (MOU).
- In general, this means that reductions in benefits would have to be compensated for by increases in salaries.

Benefits Plan Overview for Full-Time Faculty (BPO)

- The BPO, which contains specific information about various faculty benefits, continues as an appendix to the MOU. With the change in the Handbook charge to the Faculty Salary Committee, its details will be subject to faculty review annually along with the MOU.
- The BPO includes details (regarding prescription coverage, Fachex, Tuition Exchange and so forth) that were previously only available in plan documents or orally from the Office of Human Resources. Any changes in those details must now come before the faculty via the Faculty Salary Committee.

Health insurance

- A guarantee of coverage through the Blue Cross-Blue Shield Century Preferred Plan or its equivalent remains in the Handbook.
- The phrase “at no cost” is deleted from the Handbook’s description of faculty health insurance.
- As faculty move to cost-sharing, their base salaries will increase by \$2250 over two years, so that the shift is, at least initially, revenue-neutral across the faculty. This increase is spelled out in the MOU and is incorporated in the minimums of the ranks in the MOU, so that it will be included in all future promotions.
- The administration will accept the negotiated merit plan for inclusion into the Journal of Record, including the paragraph guaranteeing that there will be no additional merit unless standard merit is above CPI.
- The BPO houses specific health care policies. It specifies that for 2010, 2011 and 2012, faculty will pay no more than 10% of basic healthcare premiums. However, no matter how quickly the total premium increases, the cost to the faculty cannot increase more than 6% annually. This 3-year cap on the rate of increase also applies to the costs of optional enhancements in healthcare coverage.
- The outdated language of a separate “major medical plan” is deleted from the Handbook. The health insurance plan described in the Handbook includes both basic and what used to be called major medical coverage.

Retirement

- The listing of TIAA/CREF and Fidelity as providers of retirement plans remains in the Handbook.

- The specification that the university's contribution to faculty retirement plans is 10% of base salary is moved from the Handbook to the BPO.
- The BPO indicates that the university's 10% contribution will not change over the next three years unless the faculty and administration agree to a change.
- Language describing the university's necessary adherence to federal regulations (e.g., regarding which employees are eligible for retirement benefits) is moved from the Handbook to the BPO.
- Outdated language stating that participation in the retirement plan is "mandatory" is deleted from the Handbook.

Life insurance

- Details of the life insurance coverage are moved from the Handbook to the BPO.
- The university provided life insurance maximum is increased from \$100,000 to \$150,000.

Tuition program for children of faculty remains in the Handbook.

Other Handbook changes

- The only changes to the sections on leaves, sabbaticals, consulting and travel are that "Academic Vice President" is changed to "Senior Vice President for Academic Affairs".
- The section on Faculty Services remains intact.

II. B. FISCAL POLICIES

1. Benefits

Faculty benefits are outlined in the Benefits Plan Overview for Full-Time Faculty.

Enrollment **and changes** in all benefits programs and requests for additional information are handled by the Office of Human Resources. The insurance programs may be effected by that department only and it is, therefore, imperative that anyone wishing new or changed coverage contact that office immediately. Changed coverage can include addition and cancellation of dependents, change of marital status, change of name, etc. Although the University shall provide all these benefits, it is incumbent upon the individual faculty member to contact the Office of Human Resources in order to effect his or her enrollment in these programs. Brochures and detailed information outlining each benefit plan are available in the Office of Human Resources. **In all instances, the Plan documents control and these documents should be consulted with any specific questions concerning benefits.**

a. Health Care Plans

~~BASIC MEDICAL COVERAGE~~

The University provides, ~~at no cost to the faculty member,~~ **an enhanced high quality** Health Care Plan (as of July 1, 1996, a self-funded plan with benefits equivalent to the Blue Cross-Blue Shield Century Preferred Plan) which covers hospital and medical/surgical expenses for the faculty member, **spouse or civil union partner**, and his or her eligible dependents. **Optional enhancements are also available. The Health Care Plan is outlined in the Benefits Plan Overview.**

If the University should offer a different plan to other University employees, the University will offer faculty members the option to elect alternative coverage under such plan, subject to the same terms and conditions applicable to other employees. If the University should offer a supplemental plan to other University employees, the University will likewise offer such supplemental plan to faculty members, subject to the same terms and conditions applicable to other employees.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits.

The faculty shall be advised at least 90 days prior to any proposed changes in the plan of benefits and any proposed comparable plan of benefits shall be submitted for approval to the General Faculty.

The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans.

For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed on a timely basis. Upon termination of employment, coverage can be continued according to prevailing regulations.

~~MAJOR MEDICAL PLAN~~

~~The University's Major Medical Plan shall be provided at no cost to the full time faculty member and to his or her dependents. The coverage is effective on the first~~

~~day of employment at the University. Upon termination of employment, coverage can be continued according to prevailing regulations.~~

b. Retirement Plan

~~Participation in the regular Retirement Plans is mandatory for all eligible tenured faculty members. Plans~~ underwritten by the Teachers Insurance and Annuity Association (TIAA), ~~and~~ the College Retirement Equities Fund (CREF) and Fidelity Investments, are available. The faculty member who has completed one year of full-time service or its equivalent is eligible for this Plan and must initiate enrollment in this Plan through the Office of Human Resources. If the faculty member is already a member of an eligible retirement plan, the one-year waiting period may be waived. The eligible and enrolled faculty member is fully and immediately vested in the plan. The University contributes towards the retirement plan with the expectation of a minimum contribution from the participating faculty member as detailed in the Benefits Plan Overview. The Employee Retirement Equities Act (ERISA) also calls for eligibility for someone who works at least 1,000 hours per year. A member's contributions may be tax sheltered, if he or she so designates.
~~The University contribution is ten percent of the base annual salary with a minimum faculty contribution of two and one-half percent.~~

An optional Supplementary Retirement Annuity Plan underwritten by TIAA / CREF or Fidelity Investments which may provide tax shelter opportunities is also available.

Eligible faculty members wishing to enroll in this plan should do so through the Office of Human Resources once they are eligible.

c. Life Insurance

The University provides a term Life Insurance policy ~~at no cost~~ to the full-time faculty member. ~~The base value of this policy is equal to one and one half times the base annual salary. However, additional amounts of coverage are available through payroll deduction up to a combined policy maximum (base plus additional) of \$100,000. Supplemental coverage beyond the base amount may be purchased, but Has~~ faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. ~~There is no dependent coverage with this policy. On the first day of the month in which a faculty member's 70th birthday occurs, an amount equal to 65% of the selected amount will be provided. Other reductions will occur at ages 75 and 80.~~

Although this policy terminates when the faculty member leaves the University's employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

d. Illness/Disability Paid Absence Policy

Full-time faculty who are absent from work as a result of illness or disability due to childbirth or injury which is not work related are afforded regular salary, insurance and other benefits during the period of disability. In case of lengthy or recurring absences or disabilities, the University reserves the right to request a medical certification of disability or a second opinion at University expense. In cases of serious and long-term illness/injury, the University will provide salary up to six months. The University's Total Disability Plan provides benefits after six months subject to the terms of the Plan. The Plan provides benefits up to age 65 or beyond depending on the age of the eligible faculty member at the time total disability starts.

Temporary disability resulting from pregnancy is covered in the same manner as other disabilities during the period the full-time faculty member is absent from work. As soon as is feasible, a pregnant faculty member should provide a statement indicating the anticipated commencement and duration of the period of pregnancy disability. Barring complications the expected period of pregnancy disability would be six (6) weeks. If the period of disability extends beyond the six (6) weeks, documentation from a physician may be required.

Faculty whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave.

e. Workers' Compensation

Work related injuries are covered by Workers' Compensation.

2. Leaves of Absence and Sabbaticals

The University may grant leaves of absence ranging from one to four semesters. Sabbatical leaves and faculty grants are awarded with financial support to increase the usefulness to the University of individuals as teachers and as scholars, and to contribute to their long-term effectiveness as members of the academic profession. Leaves of absence without pay are intended to allow individuals to benefit from outside grants for scholarly or teaching purposes, to gain experience within other groups or universities or to improve their academic status.

If within a curriculum area in a given semester there shall be more persons applying for leaves than is reasonable to have absent simultaneously, the faculty of the curriculum area should recommend an order of priority to the Research Committee and ~~Academic Vice President~~ **Senior Vice President for Academic Affairs.**

Leaves shall be granted to individuals with the expectation that they shall return to Fairfield University at the completion of their leave.

a. Sabbatical Leaves

Sabbatical leaves are reserved for tenured faculty members. Tenured faculty members who have not been awarded a pre-tenure research leave are eligible for their first sabbatical after ten semesters of active service at Fairfield University. Tenured faculty members who have been awarded a pre-tenure research leave are eligible for their first sabbatical after ten semesters of active service at the University following their pre-tenure research leave. Tenured faculty members are eligible for any subsequent sabbatical after serving twelve semesters since their last sabbatical leave.

In order to insure consistency and fairness in counting the 12-semester time period of eligibility for sabbatical leave, the following procedures will be observed. Faculty members who take a two-semester sabbatical leave at half salary may begin counting the 12-semester time period of eligibility for their next sabbatical in the second semester of their two-semester sabbatical leave. Faculty members who, at the request of the Dean, postpone an approved sabbatical leave in order to accommodate the needs of their curriculum area may begin counting the 12-semester time period of eligibility for their next sabbatical in the first semester after the semester for which they applied and were approved for sabbatical leave, or, in the case of an approved

two-semester sabbatical leave at half salary, in the second semester of the sabbatical leave for which they applied and were approved. The time of the postponed sabbatical leave will be counted in the 12-semester time period of eligibility for the faculty member's next sabbatical leave.

Financial support during the sabbatical is either full salary for one semester or half salary for two semesters.

Sabbatical leave may not be accumulated.

During the sabbatical, a faculty member may not accept a full-time teaching assignment elsewhere except under unusual circumstances and with prior approval of the ~~Academic Vice President~~ **Senior Vice President for Academic Affairs**.

According to normal academic practice, any faculty member meeting the requirements for a sabbatical leave may apply. The applicant shall prepare a proposal delineating in some depth the proposed plan for the sabbatical. (Guidelines for the preparation of a proposal are available from the Research Committee.) The applicant shall submit the completed proposal application to the head of the curriculum area. The head of the curriculum area will submit the proposal along with his or her letter of recommendation to the Dean. The Dean will submit his or her recommendation, the completed proposal, and the head of the curriculum area's recommendation to the Research Committee. The Research Committee will review the letters of recommendation and the proposal and submit their recommendation to the ~~Academic Vice President~~ **Senior Vice President for Academic Affairs**. The ~~Academic Vice President~~ **Senior Vice President for Academic Affairs** shall bring these recommendations, together with his or her own, to the President of the University for final action.

Since a curriculum area shall not normally expect a full replacement for a member on sabbatical leave, applications should be made early enough to allow rearrangement of courses, teaching loads, etc., to compensate for the member's absence.

Applications for either or both semesters of the following academic year shall be due to the head of the curriculum area by November 1. The head of the curriculum area will submit his/her recommendation and the completed proposal application to the Dean by November 7. The Dean will submit his/her recommendation along with the head of the curriculum's recommendation and the completed proposal to the Research Committee by November 15.

The applicant shall be notified of the disposition of his or her request as soon as a decision has been made by the committee.

Written reports shall be submitted upon the faculty member's return to the ~~Academic Vice President~~ **Senior Vice President for Academic Affairs**, the Research Committee and the faculty member's curriculum area.

b. Pre-Tenure Research Leave Programs

Pre-Tenure Research Leaves are open to untenured, tenure-track faculty during their third or fourth year. The award is for one semester at full pay. The award may not be used for work connected to the completion of doctoral studies. The semester will count toward the normal probationary period for tenure. The leave must be completed before the academic year in which the faculty member applies for tenure. Faculty who are awarded a pre-tenure leave and are tenured will be eligible to apply for a sabbatical twelve semesters after the pre-tenure leave.

According to normal academic practice, any faculty member meeting the requirements for a pre-tenure research leave may apply. The applicant shall prepare a proposal delineating in some depth the proposed plan for the leave. (Guidelines for the preparation of a proposal are available from the Research Committee.) The applicant shall submit the completed proposal application to the head of the curriculum area. The head of the curriculum area will submit the proposal along with his or her letter of recommendation to the Dean. The Dean will submit his or her recommendation, the completed proposal, and the head of the curriculum area's recommendation to the Research Committee. The Research Committee will review the letters of recommendation and the proposal and submit their recommendation to the ~~Academic Vice President~~ **Senior Vice President for Academic Affairs**.

Applications for either or both semesters of the following academic year shall be due to the head of the curriculum area by November 1. The head of the curriculum area will submit his/her recommendation and the completed proposal application to the Dean by November 7. The Dean will submit his/her recommendation along with the head of the curriculum's recommendation and the completed proposal to the Research Committee by November 15.

c. Faculty Grants

In addition to sabbatical leaves, faculty grants are salaried leaves of absence which may be awarded to those who have held full-time teaching contracts on the University faculty for at least three years. The norms for the award are: (1) the applicant's demonstrated competence in the area of his or her projected research or study; (2) the value of this research or study to the field of knowledge; (3) its benefit to the professional development of the applicant and his or her subsequent service to the University community.

Financial support, not to exceed full salary for one semester or one-half salary for two semesters, shall be determined by recommendations of the Research Committee and final agreement between the applicant and President.

The procedure for applying for the award is the same as that of applying for a sabbatical leave.

d. Leaves of Absence Without Financial Support

The University shall make every effort to encourage and cooperate with the faculty members who are in a position to secure from outside agencies or institutions funds for research, pre-doctoral or post-doctoral studies, or visiting professorships or governmental service.

3. **Emergency and Personal Leaves**

In cases where a faculty member requests leave for emergency reasons, arrangements for such leave may be worked out by the faculty member and the ~~Academic Vice President~~ **Senior Vice President for Academic Affairs**, in consultation with the appropriate Dean and with the person responsible for his or her curriculum area, without jeopardy to the faculty member's academic status.

In cases where a faculty member requests leave for personal reasons of non-emergency nature, and not for academic purposes this leave may be granted; but such leave is subject to consideration on a priority basis with those leaves treated in Section II.B.2.

4. **Consulting and Outside Employment**

The primary commitment of the faculty is to the University. Full-time members of the faculty may not engage in other employment or private professional activity during the academic year except on a limited basis and only with the written approval of the appropriate Dean. Consulting work and other such activities of proper professional character may provide valuable experience and contribute to the enrichment of teaching and scholarship, but the total amount of time which may be given to such activities must be limited for each individual, in order that no interference may occur in the proper discharge of full-time faculty duties. Faculty members serving clients in a consulting capacity are retained as individuals and the University takes no responsibility for such service. Records of all such activities of each individual must be kept on file by the person responsible for his or her curriculum area and be subject to continuing review.

5. Travel Allowances

The University encourages faculty members to represent it at meetings of professional societies. Since funds available to help faculty members defray the expenses of attending such meetings are not unlimited, faculty members are urged to seek funds from learned societies or other granting agencies. The limited University funds shall be made available within the continental United States and Canada in accordance with the following general principles:

- a. A faculty member shall receive full travel expenses including meals and lodging, the transportation allowance not to exceed the cost of traveling by public carrier over the most direct route to his or her destination:
 1. who holds office in a major learned society,
 2. who reads a paper listed on the program at the meeting of the major learned society in his or her discipline,
 3. whom a curriculum area chooses to be the official University representative at a meeting in its discipline (this is to be understood as one person per curriculum area per year).
- b. A faculty member who holds a committee assignment which requires attendance at a meeting shall receive travel expenses equivalent to the cost of a round trip.
- c. A faculty member who attends a meeting, but not in the roles stated above, shall receive travel expenses equivalent to one-half the cost of a round-trip ticket.

All requests for travel expenses and assignments of funds are made by the persons responsible for curriculum areas to their Deans early in the year for prorating within the limitations of the budget.

6. Tuition Program for Children of Faculty

The University offers to immediate families of full-time faculty members one-half tuition at Fairfield College Preparatory School and full tuition at Fairfield University. The University offers to immediate families of deceased faculty members one-half tuition at Fairfield College Preparatory School and full tuition at Fairfield University provided the faculty member was employed full time by the University

II. B. FISCAL POLICIES

1. Benefits

Faculty benefits are outlined in the Benefits Plan Overview for Full-Time Faculty. Enrollment and changes in all benefits programs and requests for additional information are handled by the Office of Human Resources. The insurance programs may be effected by that department only and it is, therefore, imperative that anyone wishing new or changed coverage contact that office immediately. Changed coverage can include addition and cancellation of dependents, change of marital status, change of name, etc. Although the University shall provide all these benefits, it is incumbent upon the individual faculty member to contact the Office of Human Resources in order to effect his or her enrollment in these programs. Brochures and detailed information outlining each benefit plan are available in the Office of Human Resources. In all instances, the Plan documents control and these documents should be consulted with any specific questions concerning benefits.

a. Health Care Plans

The University provides a high quality Health Care Plan (as of July 1, 1996, a self-funded plan with benefits equivalent to the Blue Cross-Blue Shield Century Preferred Plan) which covers hospital and medical/surgical expenses for the faculty member, spouse or civil union partner, and his or her eligible dependents. Optional enhancements are also available. The Health Care Plan is outlined in the Benefits Plan Overview.

If the University should offer a different plan to other University employees, the University will offer faculty members the option to elect alternative coverage under such plan, subject to the same terms and conditions applicable to other employees. If the University should offer a supplemental plan to other University employees, the University will likewise offer such supplemental plan to faculty members, subject to the same terms and conditions applicable to other employees.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits.

The faculty shall be advised at least 90 days prior to any proposed changes in the plan of benefits and any proposed comparable plan of benefits shall be submitted for approval to the General Faculty.

The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans.

For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed on a timely basis. Upon termination of employment, coverage can be continued according to prevailing regulations.

b. Retirement Plan

Retirement Plans underwritten by the Teachers Insurance and Annuity Association (TIAA), the College Retirement Equities Fund (CREF) and Fidelity Investments, are available. The faculty member who has completed one year of full-time service or its equivalent is eligible for this Plan and must initiate enrollment in this Plan through the Office of Human Resources. If the faculty member is already a member of an eligible retirement plan, the one-year waiting period may be waived. The eligible and enrolled faculty member is fully and immediately vested in the plan. The University

contributes towards the retirement plan with the expectation of a minimum contribution from the participating faculty member as detailed in the Benefits Plan Overview.

An optional Supplementary Retirement Annuity Plan underwritten by TIAA/CREF or Fidelity Investments which may provide tax shelter opportunities is also available. Eligible faculty members wishing to enroll in this plan should do so through the Office of Human Resources once they are eligible.

c. Life Insurance

The University provides a term Life Insurance policy to the full-time faculty member. Supplemental coverage beyond the base amount may be purchased, but the faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. Although this policy terminates when the faculty member leaves the University's employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

d. Illness/Disability Paid Absence Policy

Full-time faculty who are absent from work as a result of illness or disability due to childbirth or injury which is not work related are afforded regular salary, insurance and other benefits during the period of disability. In case of lengthy or recurring absences or disabilities, the University reserves the right to request a medical certification of disability or a second opinion at University expense. In cases of serious and long-term illness/injury, the University will provide salary up to six months. The University's Total Disability Plan provides benefits after six months subject to the terms of the Plan. The Plan provides benefits up to age 65 or beyond depending on the age of the eligible faculty member at the time total disability starts.

Temporary disability resulting from pregnancy is covered in the same manner as other disabilities during the period the full-time faculty member is absent from work. As soon as is feasible, a pregnant faculty member should provide a statement indicating the anticipated commencement and duration of the period of pregnancy disability. Barring complications the expected period of pregnancy disability would be six (6) weeks. If the period of disability extends beyond the six (6) weeks, documentation from a physician may be required.

Faculty whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave.

e. Workers' Compensation

Work related injuries are covered by Workers' Compensation.

2. Leaves of Absence and Sabbaticals

The University may grant leaves of absence ranging from one to four semesters. Sabbatical leaves and faculty grants are awarded with financial support to increase the usefulness to the University of individuals as teachers and as scholars, and to contribute to their long-term effectiveness as members of the academic profession. Leaves of absence without pay are intended to allow individuals to benefit from outside grants for

scholarly or teaching purposes, to gain experience within other groups or universities or to improve their academic status.

If within a curriculum area in a given semester there shall be more persons applying for leaves than is reasonable to have absent simultaneously, the faculty of the curriculum area should recommend an order of priority to the Research Committee and Senior Vice President for Academic Affairs.

Leaves shall be granted to individuals with the expectation that they shall return to Fairfield University at the completion of their leave.

a. Sabbatical Leaves

Sabbatical leaves are reserved for tenured faculty members. Tenured faculty members who have not been awarded a pre-tenure research leave are eligible for their first sabbatical after ten semesters of active service at Fairfield University. Tenured faculty members who have been awarded a pre-tenure research leave are eligible for their first sabbatical after ten semesters of active service at the University following their pre-tenure research leave. Tenured faculty members are eligible for any subsequent sabbatical after serving twelve semesters since their last sabbatical leave.

In order to insure consistency and fairness in counting the 12-semester time period of eligibility for sabbatical leave, the following procedures will be observed. Faculty members who take a two-semester sabbatical leave at half salary may begin counting the 12-semester time period of eligibility for their next sabbatical in the second semester of their two-semester sabbatical leave. Faculty members who, at the request of the Dean, postpone an approved sabbatical leave in order to accommodate the needs of their curriculum area may begin counting the 12-semester time period of eligibility for their next sabbatical in the first semester after the semester for which they applied and were approved for sabbatical leave, or, in the case of an approved two-semester sabbatical leave at half salary, in the second semester of the sabbatical leave for which they applied and were approved. The time of the postponed sabbatical leave will be counted in the 12-semester time period of eligibility for the faculty member's next sabbatical leave.

Financial support during the sabbatical is either full salary for one semester or half salary for two semesters.

Sabbatical leave may not be accumulated.

During the sabbatical, a faculty member may not accept a full-time teaching assignment elsewhere except under unusual circumstances and with prior approval of the Senior Vice President for Academic Affairs.

According to normal academic practice, any faculty member meeting the requirements for a sabbatical leave may apply. The applicant shall prepare a proposal delineating in some depth the proposed plan for the sabbatical. (Guidelines for the preparation of a proposal are available from the Research Committee.) The applicant shall submit the completed proposal application to the head of the curriculum area. The head of the curriculum area will submit the proposal along with his or her letter of recommendation to the Dean. The Dean will submit his or her recommendation, the completed proposal, and the head of the curriculum area's recommendation to the Research Committee. The Research Committee will review the letters of recommendation and the proposal and submit their recommendation to the Senior Vice President for Academic Affairs. The Senior Vice President for Academic Affairs shall bring these recommendations, together with his or her own, to the President of the University for final action.

Since a curriculum area shall not normally expect a full replacement for a member on sabbatical leave, applications should be made early enough to allow rearrangement of courses, teaching loads, etc., to compensate for the member's absence.

Applications for either or both semesters of the following academic year shall be due to the head of the curriculum area by November 1. The head of the curriculum area will submit his/her recommendation and the completed proposal application to the Dean by November 7. The Dean will submit his/her recommendation along with the head of the curriculum's recommendation and the completed proposal to the Research Committee by November 15.

The applicant shall be notified of the disposition of his or her request as soon as a decision has been made by the committee.

Written reports shall be submitted upon the faculty member's return to the Senior Vice President for Academic Affairs, the Research Committee and the faculty member's curriculum area.

b. Pre-Tenure Research Leave Programs

Pre-Tenure Research Leaves are open to untenured, tenure-track faculty during their third or fourth year. The award is for one semester at full pay. The award may not be used for work connected to the completion of doctoral studies. The semester will count toward the normal probationary period for tenure. The leave must be completed before the academic year in which the faculty member applies for tenure. Faculty who are awarded a pre-tenure leave and are tenured will be eligible to apply for a sabbatical twelve semesters after the pre-tenure leave.

According to normal academic practice, any faculty member meeting the requirements for a pre-tenure research leave may apply. The applicant shall prepare a proposal delineating in some depth the proposed plan for the leave. (Guidelines for the preparation of a proposal are available from the Research Committee.) The applicant shall submit the completed proposal application to the head of the curriculum area. The head of the curriculum area will submit the proposal along with his or her letter of recommendation to the Dean. The Dean will submit his or her recommendation, the completed proposal, and the head of the curriculum area's recommendation to the Research Committee. The Research Committee will review the letters of recommendation and the proposal and submit their recommendation to the Senior Vice President for Academic Affairs.

Applications for either or both semesters of the following academic year shall be due to the head of the curriculum area by November 1. The head of the curriculum area will submit his/her recommendation and the completed proposal application to the Dean by November 7. The Dean will submit his/her recommendation along with the head of the curriculum's recommendation and the completed proposal to the Research Committee by November 15.

c. Faculty Grants

In addition to sabbatical leaves, faculty grants are salaried leaves of absence which may be awarded to those who have held full-time teaching contracts on the University faculty for at least three years. The norms for the award are: (1) the applicant's demonstrated competence in the area of his or her projected research or study; (2) the value of this research or study to the field of knowledge; (3) its benefit to the professional development of the applicant and his or her subsequent service to the University community.

Financial support, not to exceed full salary for one semester or one-half salary for two semesters, shall be determined by recommendations of the Research Committee and final agreement between the applicant and President.

The procedure for applying for the award is the same as that of applying for a sabbatical leave.

d. **Leaves of Absence Without Financial Support**

The University shall make every effort to encourage and cooperate with the faculty members who are in a position to secure from outside agencies or institutions funds for research, pre-doctoral or post-doctoral studies, or visiting professorships or governmental service.

3. Emergency and Personal Leaves

In cases where a faculty member requests leave for emergency reasons, arrangements for such leave may be worked out by the faculty member and the Senior Vice President for Academic Affairs, in consultation with the appropriate Dean and with the person responsible for his or her curriculum area, without jeopardy to the faculty member's academic status.

In cases where a faculty member requests leave for personal reasons of non-emergency nature, and not for academic purposes this leave may be granted; but such leave is subject to consideration on a priority basis with those leaves treated in Section II.B.2.

4. Consulting and Outside Employment

The primary commitment of the faculty is to the University. Full-time members of the faculty may not engage in other employment or private professional activity during the academic year except on a limited basis and only with the written approval of the appropriate Dean. Consulting work and other such activities of proper professional character may provide valuable experience and contribute to the enrichment of teaching and scholarship, but the total amount of time which may be given to such activities must be limited for each individual, in order that no interference may occur in the proper discharge of full-time faculty duties. Faculty members serving clients in a consulting capacity are retained as individuals and the University takes no responsibility for such service. Records of all such activities of each individual must be kept on file by the person responsible for his or her curriculum area and be subject to continuing review.

5. Travel Allowances

The University encourages faculty members to represent it at meetings of professional societies. Since funds available to help faculty members defray the expenses of attending such meetings are not unlimited, faculty members are urged to seek funds from learned societies or other granting agencies. The limited University funds shall be made available within the continental United States and Canada in accordance with the following general principles:

- a. A faculty member shall receive full travel expenses including meals and lodging, the transportation allowance not to exceed the cost of traveling by public carrier over the most direct route to his or her destination:
 1. who holds office in a major learned society,
 2. who reads a paper listed on the program at the meeting of the major learned society in his or her discipline,

3. whom a curriculum area chooses to be the official University representative at a meeting in its discipline (this is to be understood as one person per curriculum area per year).
- b. A faculty member who holds a committee assignment which requires attendance at a meeting shall receive travel expenses equivalent to the cost of a round trip.
- c. A faculty member who attends a meeting, but not in the roles stated above, shall receive travel expenses equivalent to one-half the cost of a round-trip ticket.

All requests for travel expenses and assignments of funds are made by the persons responsible for curriculum areas to their Deans early in the year for prorating within the limitations of the budget.

6. Tuition Program for Children of Faculty

The University offers to immediate families of full-time faculty members one-half tuition at Fairfield College Preparatory School and full tuition at Fairfield University. The University offers to immediate families of deceased faculty members one-half tuition at Fairfield College Preparatory School and full tuition at Fairfield University provided the faculty member was employed full time by the University for a period of seven years before his or her death.

PROPOSED 2009-2010 BENEFITS PLAN OVERVIEW FOR FULL-TIME FACULTY

TABLE OF CONTENTS

Enrollment and Eligibility

Health Insurance

- Basic Health, Dental and Prescription Drug Insurance Coverage
- Enhanced Dental and Prescription Coverage
- Health Savings Account (HAS)
- Pre-Tax Program
- Medical Flexible Spending Account
- Jesuit Health and Dental Coverage

Retirement Annuity Program and Life Insurance

- Retirement Plan Options
- Basic and Supplemental Life Insurance
- Long-Term Health Care

Leaves of Absence

- Short-Term Disability
- Long-Term Disability
- Worker's Compensation
- Unemployment Compensation
- Jury and Witness Duty
- Academic Leaves
- Support and Release Time for Extraordinary Faculty Research
- Emergency and Personal Leaves

Maternity Leave and Dependent Care

- Maternity Leave
- Dependent Care
- Dependent Care Flexible Spending Account

Tuition Benefits

- Tuition Remission for Employee, Spouse, or Civil Union Partner
- Tuition Grant-in-Aid for Eligible Dependent Children
- Faculty Children Exchange Program (FACHEX)
- Tuition Exchange Program
- Study Abroad

Retirement and Death Benefits

Retirement Benefits
Death Benefits

Other Benefits

Academic Gowns
Bookstore Discount
Credit Union
Dining
Direct Deposit
Early Learning Center
Employee Assistance Program
Holidays
Housing and Relocation
Library Privileges
Office and Mail
Parking Registration
Printing and Duplicating
Recreational Complex Membership
Tickets

Contact Information

This Benefit Plans Overview for Full-Time Faculty is an official summary of the benefits presently offered to faculty by Fairfield University. The Benefits Plan Overview for Full-Time Faculty is referenced in the “Memo of Understanding (MOU): Faculty Compensation (Salary and Benefits)” and, unless otherwise noted in this overview, the benefits described herein are effective for the duration of the MOU. Any changes in the benefits described in this document will be agreed upon by the administration and Faculty Salary Committee, and any disagreements will be resolved according to the process detailed in the Memo of Understanding.

The benefits are subject to eligibility requirements, employee contributions or co-payments, and coverage limits and exclusions of the written policy or plan. It is not possible to include all of the information in this brief overview. Accordingly, employees are directed to the plan descriptions and written policies for more complete information. Please contact the Office of Human Resources for more information. If there is a conflict between this overview and the written policy or plan, the written policy or plan will govern.

ENROLLMENT AND ELIGIBILITY

Enrollment in all benefits plans, requests for additional information, and changes in coverage are handled through the Office of Human Resources (OHR) . The benefits presently available to eligible full-time faculty, their spouses or civil union partners, and their eligible dependents are described in this Overview. This plan provides for the continuation of benefits under the parent’s health insurance contract for unmarried dependent children who are between the ages of 19 and 25 years.

It is incumbent upon the individual faculty member to communicate with the OHR in order to effect timely enrollment or to change coverage. There may be length of service requirements for eligibility as well as premium costs associated with some of these benefits. If there are any additional premium costs, such as enhanced plan costs above the University cost of the Anthem Blue Cross/Blue Shield Century Preferred Plan, the faculty member is responsible for the additional cost.

In order to provide eligible faculty members the opportunity to make changes in health plan options or to purchase additional life insurance, there are periodic open enrollment periods offered by the OHR.

For specific eligibility and enrollment information, please call the Office of Human Resources at ext. 2277.

HEALTH INSURANCE

Basic Health, Dental and Prescription Drug Insurance Coverage

Eligible full-time faculty have available to them health, dental and prescription drug coverage under the Anthem Blue Cross/Blue Shield Century Preferred Plan. The Century Preferred Plan is a managed care plan utilizing a system of Preferred Providers. It provides broad and comprehensive health care benefits.

Hospital Coverage is provided for approved expenses for semi-private inpatient hospitalization at participating hospitals subject to a \$100 co-payment per inpatient admission and per outpatient surgery. Emergency room visits are subject to a \$50 co-payment.

Medical coverage is provided subject to a \$20 co-payment per office visit if services are provided by a Preferred Physician or Provider. (This includes regular visits for physical therapy, chiropractic, or allergist treatments.) A \$25 co-payment is required for Urgent Care Services. Services provided outside the preferred provider network are paid at 80% of usual and customary charges after a deductible of \$200/member, to a cost share maximum of \$1,200 annually. The family out-of-network deductible is \$400, to a cost-share maximum of \$2,400 annually.

The basic prescription drug program covers the cost of prescriptions up to an annual maximum of \$1,000 per covered participant. After reaching this annual maximum, claims are processed as an out-of-network medical claim, subject to a \$200 deductible for an individual or \$400 for a family. For an individual, after the deductible, the next \$5,000 in out-of-network medical costs and/or prescription costs is covered at 80%; the member is responsible for the remaining 20% of costs, to a maximum of \$1,000. For a family, after the deductible, the next \$10,000 in out-of-network medical costs and/or prescription costs is covered at 80%; the member is responsible for the remaining 20% of costs, to a maximum of \$2,000. Thereafter, the plan will pay 100% of out-of-network medical costs and/or prescription costs. Co-payments per each 30 day prescription at a participating retail pharmacy are \$10 (generic drug), \$20 (formulary listed brand name), \$30 (non-formulary brand name) and 1 times the co-payment (\$10/\$20/\$30) per mail order prescription, for up to a 90 day supply.

The basic dental program, Anthem's Co-pay dental Plan co-pay plan covers preventative, diagnostic and restorative procedures according to a co-payment schedule. For covered dental services provided by a participating dentist, Anthem BC/BS will pay 80% of covered services up to \$1,000 per covered participant, annually. If a non-participating dentist renders services, Anthem BC/BS will pay the lesser of the dentist's charge or the applicable allowance for the procedure as determined by Anthem BC/BS.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits. The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans. For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed in a timely manner. Faculty who wish to waive health

insurance coverage must file a waiver form with the Office of Human Resources. Upon termination of employment, coverage can be continued according to prevailing regulations.

Faculty will cost-share healthcare premiums. Cost-share amounts are based on whether the faculty member signs up for single, two-person, or family coverage, and whether he or she chooses basic or enhanced prescription and/or dental coverage. Table 1 presents cost-share amounts for 2010. For 2010, 2011, and 2012, faculty will pay no more than 10% of the healthcare premium for Option I or the HAS option. For 2010, 2011, and 2012, faculty who choose Options II or III will pay no more than 10% of the basic healthcare premium and up to 100% of the cost of optional enhancements. For 2010, 2011, and 2012, none of the cost-share amounts listed in Table 1 will increase by more than 6% per year.

Table 1: 2010 Annual Cost-Share Amounts for Faculty

Option	Single	Two-Person	Family
Option I: Basic Health with basic prescription and enhanced dental	\$ 725	\$1,474	\$1,969
Option II: Basic Health with basic dental and enhanced prescription	\$1,190	\$2,259	\$3,174
Option III: Basic Health with enhanced dental and enhanced prescription	\$1,425	\$2,864	\$3,839
Health Savings Account (HAS)	\$570	\$1,164	\$1,546

Enhanced Dental and Prescription Drug Coverage

Faculty may choose enhanced options at the time of enrollment or during open enrollment.

Faculty members may elect to choose the enhanced dental program, Anthem’s Flex Dental Plan, for themselves and their eligible dependents. The Flex Dental Plan enhanced dental program covers two free cleanings per year along with one set of bite-wing x-rays. Basic in-network services are covered at 80%, while major in-network services are covered at 50%, and are subject to a \$25 deductible. The annual maximum coverage for Flex Dental is also \$1,000 per member, per calendar year

Faculty members may elect to purchase an enhanced prescription plan, paying the additional cost for this benefit. Under the enhanced prescription plan, all benefits and required co-payments are the same; however, there is no annual dollar maximum. Included with the enhanced prescription plan are a vision care plan and a hearing care plan.

Health Savings Account (HAS)

Fairfield University has established a high deductible consumer directed healthcare plan option as an alternative to our conventional PPO health plan. This plan takes advantage of the tax savings provided through recent Medicare legislation, while utilizing the same Anthem Blue Cross Blue Shield provider network. Under IRS regulations, those with other coverage are not eligible to have a health savings account. Eligibility options will be discussed at time of enrollment..

Under the HAS, preventive services are provided at 100%, with no co-payment. For all other in-network health expenses, including prescriptions, the deductible under the HAS is \$1500 annually for a single person and \$3,000 for a family of two or more. In-network health expenses are 100% covered after the deductible has been met. The HAS also includes the enhanced, or Flex Dental Plan, but dental expenditures do not count against the HAS deductible. Fairfield University will contribute \$1,000 for an individual and \$2,000 for two or more family members towards the high deductible, with employees contributing the difference through tax free payroll deductions if they so choose. University contributions will be made in two installments, January and July of each year. Additionally, employees may contribute additional tax free dollars towards this plan, based upon current IRS regulations.

Faculty pay 10% of the health care premiums for the HAS (see Table 1). As with the Basic Health Coverage, during the three-year period beginning January, 2010, the faculty will not be required to pay more than 10% of the HAS premiums and any increase in the annual co-payments will not exceed 6% per year.

The HAS account dollars may be used to cover the deductible amount in the current year, or saved for use in future years. This money may also be used in a similar fashion to a Flexible Spending Account, and/or allowed to accumulate tax free from year to year. An HAS cannot be used in combination with an FSA.

Pre-Tax Program

This program allows eligible full-time faculty to pay health insurance premiums on a pre-tax basis subject to IRS guidelines.

Medical Flexible Spending Account

Fairfield University offers participation through payroll deduction in a Medical Flexible Spending Account. Flexible Spending Accounts are tax exempt, individual accounts to which participants contribute pre-tax salary to pay predictable expenses.

The Medical Flexible Spending Account allows participants to pay for medical expenses, not otherwise covered by health insurance, with pre-tax salary contributions to the account up to an annual maximum of \$5,000. Tax laws require that funds in the account be spent during the year in which they are accrued.

Jesuit Health and Dental Coverage

Eligible Jesuit Faculty members are covered by either Anthem Blue Cross/Blue Shield Century Preferred health insurance and dental coverage or the Jesuit Trust group insurance plan.

Retirement Annuity Program and Life Insurance Options

Retirement Plan Options

Participation in the regular Retirement Plan is optional for all eligible faculty members. The Employee Retirement Income Act (ERISA) also calls for eligibility for someone who works at least 1,000 hours per calendar year. A member's contributions are tax-sheltered.

The available tax deferred retirement plan is underwritten by the Teacher's Insurance and Annuity Association (TIAA)/ College Retirement Equities Fund (CREF) and Fidelity Investments Tax Exempt Services Company. It offers a flexible approach to retirement planning. If the faculty member contributes at least 2.5% of his or her base annual salary, the University will contribute 10% of the employee's annual base salary. The level of the University's contribution and the faculty member's match will remain in effect for at least three years starting in September 2009, and ending in August, 2012 unless the faculty and administration should agree to change it. Both the employer contribution and the employee's minimum contribution must be held in a restricted account, with no access to these funds until such time that the faculty member terminates employment with Fairfield University. Participants are fully and immediately vested in the plan upon enrollment, but faculty members must contact Human Resources to enroll. Eligibility for the basic plan is after one year of service to Fairfield University or on a transfer basis.

Immediately upon hire, and thereafter, eligible faculty members may participate in a voluntary supplemental pre-tax retirement plan with TIAA/CREF or Fidelity through payroll deduction. All contributions beyond that which is required to participate in the basic retirement plan (2.5%) will be deposited into the supplemental plan, with all of the benefits of a 403(b) plan, which includes a hardship provision, loan provision, and access without penalties after age 59½.

An equivalent payment of 10% of base annual salary is paid to the Jesuit Community on behalf of Jesuit Faculty members in lieu of the above mentioned annuity plan contribution.

Basic and Supplemental Life Insurance

The University provides a term life insurance policy at no cost to full-time faculty members. The base value of this policy is equal to one and one half times the base annual salary up to a maximum of \$150,000. The value of the policy (base and supplemental amounts) will decrease to 65% of the policy amount on the October 1 which occurs on or next following the faculty member's 70th birthday.

Supplemental life insurance coverage is available through payroll deduction in varying increments up to \$500,000. The faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. The program also provides coverage for eligible dependents if desired.

Although this policy terminates when the faculty member leaves the University's employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

Long-Term Health Care

A voluntary Long-Term Health Care (Nursing & Home Care) insurance plan is available through the Unum Insurance Company on a payroll deduction basis.

LEAVES OF ABSENCE

Typically, there are two types of leave – paid and unpaid. Paid leaves include bereavement and sick leave. While on paid leave, benefits continue on the same basis as prior to the leave. Unpaid leaves are absences without pay and include military leaves and personal leaves. During an unpaid leave of absence, the first month of benefits is paid by the University. Certain leaves and absences may come under the regulations of the Family Medical Leave Act.

Short-Term Disability

Eligible full-time faculty members will receive full salary and benefits for up to six (6) months of absence due to disabling illness, injury, pregnancy, childbirth, or related conditions. After six months, the faculty member may apply for coverage under the University's Long-Term Disability Plan (LTD). Any faculty member who anticipates an extended disability absence will inform his/her Dean as soon as possible indicating the anticipated commencement and, whenever possible, the anticipated duration of the period of absence. The University may require medical certification in cases of recurring absences, or for absences lasting longer than a month.

All requests for medical leave of absence must be accompanied by a certification from the health care provider. The University reserves the right to request a second opinion at any time at University expense. Return to work certification is also required.

Long-Term Disability

The Long-Term Disability Plan (LTD) provides continuation of up to 60% of base annual salary after a qualifying period of 180 days. The maximum duration of benefits for those participants under the age of 59 at time of disability is to age 65. For participants age 60 or older, the maximum duration of benefits will vary from one to five years, depending on age at onset of disability. In the event of disability under the LTD plan, pension contributions will be deposited to the faculty member's account in an amount equal to the University's contribution to his or her pension plan during the 12 calendar months prior to becoming disabled. In addition, the University will continue to provide health insurance benefits for you and your eligible dependents in the same manner as is

provided to active employees. At age 65 Medicare would become the claimant's primary insurance and the University group plan coverage would end. Dependents would be eligible to purchase group health plan coverage at full rates in accordance with COBRA or Retiree policies.

Under the LTD program, every eligible faculty member has the option of paying for their LTD coverage in which case, benefits received are not taxed.

Worker's Compensation

Worker's Compensation provides disability benefits and medical coverage as required by law for employees who are injured or who become ill as a result of their employment.

Unemployment Compensation

The University provides unemployment compensation benefits under the Employment Security Act for all eligible faculty members at University cost.

Jury and Witness Duty

Fairfield University recognizes the civic duty to serve on a jury or as a court witness. When absent from work to serve on a jury or required by subpoena to appear as a witness in court, Fairfield University will pay the full-time faculty member in full for the first five (5) days of jury duty, and thereafter the difference between the fees from the court and regular salary.

Academic Leaves

Academic leaves – sabbaticals, pre-tenure research leaves, faculty grant leaves, and leaves funded by outside agencies – are governed by the Faculty Handbook.

Support and Release Time for Extraordinary Faculty Research

Whenever possible, but within the limits of its resources, Fairfield University will offer financial and institutional support to any faculty member, tenured or tenure-track, who is awarded a major fellowship (American Council of Learned Societies, Fulbright, National Endowment for the Humanities, National Science Foundation, etc.). The university will contribute the difference between the monies of such a fellowship and a faculty member's annual salary, as well as the faculty member's full annual benefits package, so that he or she may take advantage of a full year's leave for research without financial loss. This leave time and institutional support will have no direct bearing on the faculty member's cycle of eligibility for sabbatical leave. Whenever possible, faculty members are expected to make a reasonable effort to link an application for such a fellowship to the time of their sabbatical leave.

Fairfield University will negotiate a reduced teaching load with any faculty member, tenured or tenure-track, who is awarded a major research grant from a peer-reviewed funding agency (NSF, NIH, NOAA, DOE, etc.), whenever that grant is of sufficient complexity and involves enough faculty responsibilities to justify release time. Release time must be concurrent with the funded period of research. This release time will have no direct bearing on the faculty member's cycle of eligibility for sabbatical leave. In applying for such grants, faculty are expected to consider the importance of requesting salary recovery funds from the granting agency. Whenever possible, faculty members are expected to make a reasonable effort to link the period of funded research to the time of their sabbatical leave if multiple-year funding is available.

Emergency and Personal Leaves

In cases where a faculty member requests leave for emergency reasons, arrangements for such leave may be worked out by the faculty member and the Senior Vice President for Academic Affairs, in consultation with the appropriate Dean and with the person responsible for his or her curriculum area, without jeopardy to the faculty member's academic status.

Maternity Leave and Dependent Care

Maternity Leave

Maternity leaves may be paid or unpaid depending on individual circumstances. However, faculty members whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave. The period of recovery due to a normal childbirth is presumed to be six weeks. The University may require medical certification for absences in excess of six weeks.

Dependent Care

Individual course schedules may be modified at the request of faculty members to accommodate their need to care for their infants or young children, as well as their spouses, civil union partners or immediate family, who are seriously ill during the course of a semester. Faculty may reduce their teaching load by one or two courses a semester, with the understanding that they will compensate the University for the course reduction in one of the following manners:

1. The course or courses will be taught over a three-year period immediately following the semester during which the reduction was in effect. Only one additional course may be taught per semester. The courses must be regular departmental offerings unless approved by the appropriate Dean(s) as special or University College listings. If employment at the University terminates prior to fulfillment of this obligation, the faculty member will repay the University

at the cost of one or two adjunct salaries (dependent on the amount of release time taken) at the rate that was in place the semester of the reduced load. During the semester of reduced load, full pay and benefits will be continued. Release time will not be granted a second time until the obligations of the first have been met.

2. Salary will be reduced by 25% for a one course exemption or 50% for a two course exemption during the semester of dependent care need. Full benefits will be maintained during the period of salary reduction. No further obligations will be accrued. Faculty members who wish to take advantage of the dependent care policy must notify their Deans sufficiently far in advance of the semester to allow for the employment of replacements. When release time is requested for the care of seriously ill spouses, civil union partners, or immediate family members, the Deans may request written confirmation from a medical authority.

Dependent Care Spending Account

Fairfield University offers participation, through payroll deduction, in a Dependent Care Spending Account. Flexible Spending Accounts are tax exempt, individual accounts to which participants contribute pre-tax salary to pay predictable expenses.

The Dependent Care Flexible Spending Account allows participants to pay for adult and child care expenses with pre-tax salary contributions to the account up to an annual maximum of \$5,000. Tax laws require that funds in the account be spent during the year in which they are accrued.

TUITION BENEFITS

Tuition Remission for Employee, Spouse, or Civil Union Partner

Tuition remission is available for graduate and undergraduate programs to eligible faculty members and their spouses or civil union partners who meet the normal admission and academic requirements. Tuition remission may not apply to some courses/programs. Remission provides fifteen (15) free credits per year with a maximum of six (6) credits in any one semester for a faculty member or their spouse. Fees are payable by faculty member/student. Note that this benefit may be taxable when applied to spouses or civil union partners.

Tuition Grant-in-Aid for Eligible Dependent Children

The Tuition Grant-in-Aid policy shall apply to all legally dependent eligible children of full-time faculty members. Tuition is limited to one baccalaureate degree per dependent. Legally dependent children include adopted children and stepchildren who begin matriculation at the University before reaching age 24.

If a child's matriculation is delayed because of health or military service, the age limit will be extended by the length of such a period of ill-health or service. If an eligible child leaves the University once matriculation has begun, he or she may return within a two year time period even though over the age limit. Children who do not matriculate at Fairfield University but are matriculating elsewhere may take up to six (6) credits during the summer and three (3) credits during the fall and spring semesters with tuition grant-in-aid. Legal dependency shall include: a) any child claimed by a full-time faculty member as a dependent for federal income tax purposes; b) any child who otherwise demonstrates, as determined by the University, substantial financial dependency upon a full-time faculty member; or c) in the case of divorced parents, any child who fulfills the terms of a) or b) as to either parent, or for whom a divorce decree obligates the faculty member parent for payment of college tuition. Legal dependency must be demonstrated for the period in which the tuition grant-in-aid is sought.

One-half of the Fairfield College Preparatory School tuition is waived under this program. Dependent children must matriculate before age seventeen.

Grant-in-Aid is available to eligible nieces and nephews of full-time Jesuit faculty members.

Faculty Children Exchange Program (FACHEX)

This program provides for tuition waivers on an exchange basis, at 26 Jesuit Colleges and Universities participating in the program. The program is limited to eligible children of full time faculty and staff, and may be applied towards undergraduate degrees only.

Fairfield University's liaison office is responsible for certifying eligibility for each faculty member and for contacting their child's chosen institutions. Fairfield University cannot guarantee acceptance at the host institution, nor does acceptance to a host institution guarantee a FACHEX scholarship.

FACHEX scholarships or tuition waivers are not automatic. Each host institution has its own process for scholarship recipients, with many based on the academic profile of the student applicant. Students applying for the FACHEX benefit are responsible for the completion and presentation of all forms and documents required for application to the host institution, and must meet all enrollment requirements of the host institution.

Recipients of a FACHEX scholarship will continue to receive the scholarship as long as their parent has not resigned from or been terminated by the university during this time and subject to the provisions of the FACHEX program. Termination from Fairfield University will terminate the FACHEX scholarship agreement at the host institution. Children of University retirees are not eligible to apply for FACHEX.

Tuition Exchange Program

Tuition Exchange is a partnership of over 500 colleges and universities offering competitive tuition exchange scholarships to members of faculty and staff employed at member institutions. Like

FACHEX, this grant-in-aid opportunity does not guarantee full tuition, nor is it a guaranteed benefit.

Fairfield University's liaison office is responsible for certifying eligibility for each student applying to a member institution. Acceptance to the host institution is not guaranteed, nor does acceptance guarantee a Tuition Exchange Scholarship. Each institution has its own specific process for scholarship selection. Many participating schools choose their scholarship recipients based on the academic profile of the individual student.

Each member institution will determine the amount of award that may be granted under this program and the number of students that they are able to accept each year. Like other participating schools, Fairfield University has an obligation to maintain the balance between outgoing students and incoming students over a five year period in order to continue participation in this program. For this reason, the number of employees' children eligible for this program may vary from six to ten students in any given year.

Full time faculty on tenure track appointments may complete an application for Tuition Exchange. However, children of eligible faculty and staff will be ranked in order by their parents' seniority, with the highest consideration for this benefit going to longest term employees.

Recipients of a Tuition Exchange scholarship will continue to receive the scholarship as long as their parent has not resigned from or been terminated by the university during this time and subject to the restrictions of the Tuition Exchange program. Termination from Fairfield University will terminate the Tuition Exchange scholarship agreement at the host institution. Children of University retirees are not eligible to apply for Tuition Exchange.

Study Abroad Program

Support for study abroad is available to eligible dependent children who are matriculated in an undergraduate program at Fairfield University and who meet all eligibility requirements under the Tuition Grant-in-Aid program.

For Fairfield University administered semester Study Abroad programs, the amount of tuition grant-in-aid is limited to a maximum of \$5,000. However, this amount may be less depending upon the country and the educational program. For Fairfield University administered programs of shorter duration, the amount of tuition-grant-in-aid is limited to a maximum of \$500, and may be less depending upon the total number of students participating, country and type of program.

RETIREMENT AND DEATH BENEFITS

Retirement Benefits

Faculty who retire with at least fifteen (15) years of continuous service to the University (including all periods of full-time employment, sabbatical leaves and leaves of absence, with the exception of

leaves for total disability of illness) are entitled to the following privileges (subject to the current policies, restrictions and fees applicable to full-time active faculty): access to all University academic and recreational facilities; attendance at the University's cultural, athletic and educational events, including academic convocations and processions; campus vehicle registration; opportunity to buy into the health insurance plan; and tuition remission for self and spouse or civil union partner. Qualifying dependents are eligible for Tuition Grant-in-Aid at Fairfield University and one-half tuition at Fairfield College Preparatory School. Retirees will continue to receive University publications.

While the University's primary responsibility is to its active faculty, it also recognizes the desirability of supporting the continuing research of retired faculty. The University's resources are limited; however, to the degree that these limited resources will allow, and subject to the prior claim of active faculty, the University will endeavor to support the research of retired faculty. To this end, the University will attempt to provide laboratory and computer facilities and financial support for their use, office space and secretarial services when such support of research is possible and appropriate in the judgment of the pertinent Dean. Because of the limitations outlined above, the University cannot guarantee the availability of this research-related support.

Death Benefits

Provisions are made for continuation of salary and insurance benefits for the dependents of an eligible faculty member in the event of his/her death. The existing employment contract in effect at the time of death is paid in full and health insurance coverage and other privileges (such as Library, Recreational Complex, etc.), will be continued subject to policy restrictions and fees applicable to full-time faculty for the surviving spouse or civil union partner and eligible children. If the faculty member was employed at Fairfield University at the time of death and had at least seven (7) years of service at the University, the tuition remission benefit, FACHEX and Tuition Exchange scholarships being paid at the time of death will continue subject to the provisions of these programs. In addition, the University offers Tuition Grant-in-Aid at Fairfield University and one-half tuition at Fairfield College Preparatory School provided the faculty member was employed full-time by the University at the time of death and had at least seven (7) seven years of service at the University.

OTHER BENEFITS

Academic Gowns

The University shall provide academic gowns for all members of the faculty on official occasions.

Bookstore Discount

The bookstore offers a 10% discount on certain purchases with the exception of books. University identification cards are required.

Credit Union

The Fairfield University Federal Employees Credit Union is open to all University personnel.

Dining Facilities

A faculty dining room is provided in the Campus Center.

Direct Deposit

As a benefit to all personnel, the University makes available direct deposit services through the payroll office.

Early Learning Center

The Early Learning Center offers child care services on campus. Services are offered at a reduced cost for University personnel and are subject to the availability of space.

Employee Assistance Program

Fairfield University believes it is in the best interest of our personnel, their families, and the University to make available an Employee Assistance Program (EAP) which assists employees with various difficulties. The University recognizes that a wide range of human problems can adversely affect a valued employee's job performance and health. Such problems can include physical, mental and emotional illness, marital or family distress, alcoholism or other drug dependencies, and financial or legal matters. We are also aware that problems with immediate family members or among close associates can also cause serious concerns. It is for these reasons that the Office of Human Resources offers an Employee Assistance Program.

Holidays

Each spring, a complete list of holidays for the following fiscal year (July 1 to June 30) will be published. The academic calendar may include additional holiday periods.

Housing and Relocation

Fairfield University extends to newly hired full-time faculty, a reimbursement of up to \$3,500 for moving and relocation costs. The Office of Human Resources can provide moving, relocation and housing assistance. The office of the Senior Vice President for Academic Affairs can also provide information on the availability of limited rental housing offered through the University for up to two years.

Library Privileges

Extensive on-campus library services are available. Interlibrary and other loan privileges are provided for the faculty. Student carrels will be available in the library.

Office and Mail

Office space, assigned by the appropriate Dean, is provided for each faculty member. Each faculty member is provided with a mail box for intra-campus and U.S. mail. The University offers electronic mail services for business purposes subject to the University's acceptable use computer policy.

Parking Registration

On-campus parking is provided. There is a vehicle registration fee of \$80/year. Payment of the vehicle registration fee with pre-tax dollars is available through payroll deduction. All University parking and traffic regulations must be followed at all times.

Printing and Duplicating

A printing and duplicating service is available on campus.

Recreational Complex Membership

The Recreational Complex (RecPlex) is equipped with weight rooms, saunas, indoor basketball and tennis courts, racquet ball courts and a 25 meter pool. The RecPlex membership requires a \$25 annual fee. A special faculty shower and locker room is available where a limited number of lockers can be rented for an additional fee. Faculty members may purchase spouse, civil union partner and/or family memberships.

Tickets

Members of the faculty are provided at no cost, subject to availability, with a ticket to all University sponsored events. In addition there are athletic and other events sponsored by various clubs and organizations which are open to faculty. Notice of these events appears in University publications, on bulletin boards, on E-mail, and through special notices.

*Additional information and details pertaining to these benefits
are available in the Office of Human Resources.*

DRAFT Revised: September 1, 2009

Contact Information

Fairfield University Office of Human Resources	1-203-254-4000, ext. 2277
Anthem Blue Cross/Blue Shield of Connecticut	
Customer Service	1-800-922-6621
Managed Benefits (in-state)	1-800-238-2227
Email: www.anthem.com	
Crosby Benefits Systems	
Flexible Spending Account	1-800-462-2235
Email: servicecenter@crosbybenefits.com	
Fidelity Investments	
Retirement Plan Information	1-800-343-0860
Email: www.fidelityinvestments.com	
Social Security Administration	
Retirement Benefits	1-800-772-1213
Disability Benefits	
Email: www.socialsecurity.gov	
The Hartford	
Group Life Insurance and Long Term Disability	1-800-331-7234
Email: www.thehartford.com	
TIAA (Teacher's Insurance Annuity Association)	
Retirement Plan Information	1-800-842-2776
Email: www.tiaacref.org	
UNUM	
Long Term Care Plan	1-800-868-6745
Email: www.unumprovident.com	

Proposed 2009-2010 Memo of Understanding with changes shown:
New language **bold and underlined**, text to be deleted shown ~~bold and with strikethrough~~.

**Memo of Understanding
Faculty Compensation (Salary and Benefits)
2009-2010**

After collegial discussions, the Faculty Salary Committee and the Administration **have agreed to** recommend to the General Faculty for ratification and to the Budget Committee for inclusion in the budget that they submit to the President and the Board of Trustees the following compensation package.

It is understood that if accepted by the General Faculty and Budget Committee and subject to the final approval of the Board of Trustees, **through its adoption of the annual budget**, all faculty appointments and compensation shall be in accordance with the provisions set forth herein (**including the Benefits Plan Overview for Full-Time Faculty**) and in the Faculty Handbook as currently amended. All individual, annual letters of appointment will be in accordance with the compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, **and subsequent amendments**).

In the event that either the General Faculty or the Budget Committee raise objections to the recommended compensation changes, the Faculty Salary Committee and the Administration will hold further meetings with the intention of resolving the objections. In the absence of a resolution, the Annual Budget adopted by the Board of Trustees shall be final regarding faculty compensation for the ensuing academic year. In this case, the Administration will provide the Faculty Salary Committee with the revised information called for in this document. All individual, annual letters of appointment will be in accordance with the revised compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, **and subsequent amendments**).

Recommended Salary and Benefit Changes.

- A. All faculty will receive compensation and benefits in accordance with the provisions set forth below.
- B. The salary pool will be an increase of 0% of the faculty 2008-2009 salary pool. All salary increases are based on an evaluation of performance according to the criteria of the ~~various school plans~~ **merit plan**.
- ~~C. Sustained merit is set at 2.5%. Faculty who qualify for sustained merit will receive an increase of 2.5% of their salary or 2.5% of the mean of their rank, whichever is greater. Faculty who do not qualify for sustained merit will receive no increase. All faculty who have not previously switched to cost-sharing of healthcare premiums will receive a salary increase of \$2250 spread out over two years. They will receive \$1500 in 2009-2010 and \$750 (plus the 2010-2011 standard merit~~

increase on \$750) in 2010-2011. Faculty who voluntarily switched to cost-sharing previously will receive an increase of \$200.

D. ~~1.~~ The 2008-2009 mean for each rank ~~and the increase of 2.5% for each mean are is:~~

	<u>Mean</u>	Mean	<u>Increase</u>
Professor	\$109,082	105,746	<u>\$2,644</u>
Associate	\$ 86,413	83,125	<u>\$2,078</u>
Assistant	\$ 69,221	65,662	<u>\$1,642</u>
Instructor	\$ 50,249	49,535	<u>\$1,238</u>

~~2. The further merit pool will be 1.0%. Each school will receive a proportion of this pool equal to the proportion of tenure track faculty members in that school. During 2008-2009, further merit funds will be distributed, using the plans of the various schools as a guide, through consultations with department chairs, deans, and appropriate faculty. At least twice during the 2008-2009 academic year, the Academic Vice President will convene a meeting of the deans of the various schools for the express purpose of working toward consistency and transparency in the disbursement of merit funds across schools. Once during the year, the Academic Vice President will meet with the Faculty Salary Committee to summarize the meetings with the deans.~~

E. The Senior Vice President for Academic Affairs will work with the Deans to ensure that the results of the merit and self-evaluation process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas, taking into account distinctions in disciplinary approaches and programmatic and curricular goals. The SVPAA and Deans will also ensure that faculty are being given constructive feedback in the merit and self-evaluation process.

~~3. First year faculty will receive an increase of 3.5% of their salary or 3.5% of the mean of their rank, whichever is greater:~~

	<u>3.5% of the Mean</u>
Professor	<u>\$3,701</u>
Associate	<u>\$2,909</u>
Assistant	<u>\$2,298</u>
Instructor	<u>\$1,734</u>

F. The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations. If the current average compensation in any rank is below the corresponding 95th percentile figure, then in addition to the increase described in section

C above, each faculty member in that rank will receive the amount of the difference between Fairfield's average compensation for that rank and the corresponding 95th percentile figure. In addition, that difference plus the sustained/standard merit percent of that difference will be added to the next year's minimum starting salary for that rank.

G. ~~Minimum starting salaries for Assistant Professors will be raised to \$60,000*. Minimum starting salaries for the other ranks will be raised by the sustained merit percent. Therefore for 2008-2009, they will increase by 2.5%.~~ The new minimum starting salary for each rank for 2009-2010 is as follows:

Rank	Minimum		Maximum	
Professor	<u>97,374</u>	95,874	<u>121,244</u>	119,744
Associate	<u>72,496</u>	70,996	<u>100,189</u>	98,689
Assistant	<u>61,500</u>	60,000	<u>84,065</u>	82,565
Instructor	<u>50,467</u>	48,967	<u>60,940</u>	59,440

In 2010-2011, the minimums will increase by \$750, and then by the percent designated for the standard merit increase.

~~*The salaries of continuing assistant professors will be adjusted upward in order to prevent salary inversions within the Assistant Professor rank resulting from the increase in the minimum of the Assistant Professor salary range. Adjustments will be added after increases available from the 3.5% salary pool. Adjustments, which decrease linearly as base salary increases, will be applied to the base salaries of continuing assistant professors with 08-09 salaries below \$70,996 (the minimum for associate professors).~~

When market conditions require, new faculty members may be hired at salaries exceeding the above-designated maximums. The **Academic Senior Vice President for Academic Affairs** will inform the Faculty Salary Committee in writing of each new position requiring a salary beyond the designated maximum. In all cases, the Faculty Salary Committee will be informed in writing of each hire that exceeds the above-designated maximum.

H. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) ~~the sustained increase for the new rank plus any additional merit awarded for 2007 plus an additional~~ \$1,000 plus an additional \$1500 if the faculty member had not previously switched to cost-sharing for healthcare (or an additional \$200 if the switch was made previously), or b) the minimum of the new rank plus any additional merit compensation awarded for ~~2007 and~~ previous years beyond sustained merit. Additionally, if he/she was a full-time faculty member prior to the 1997-1998 academic year, \$1,188 will be added to his/her salary. This additional amount reflects savings from the 1996 change to a new health plan.

I. The salary paid for part-time instruction to full-time faculty members (beyond normal load) and the salary for credit courses for adjunct faculty who are not full-time faculty members will be as follows. ~~The amounts have been increased by 3.5%.~~ Higher payments are occasionally made as market conditions dictate.

- The Administration will provide a list of adjunct salaries to the Faculty Salary Committee each semester.
- For an adjunct faculty member who is not a full-time faculty member, if a class meets two or more times per week during the academic year, the stipend will increase by \$150 per course **per course**.
 - Actual teaching experience at Fairfield is counted for adjunct faculty.
 - Two semesters per year are counted for full-time faculty.

Fairfield University Teaching Experience			
Degree	Under 8 Semesters	8-15 Semesters	16+ Semesters
Non-terminal	\$3,409	\$3,648	\$3,965
Terminal	\$4,126	\$4,305	\$4,462

J. Existing supplemental salary pertaining to Chairs, Program Directors, etc. shall continue as in the past.

K. The Faculty Salary Committee and the Administration recognize the need to examine faculty salary distributions for gender inequities, racial inequities, and other inequities covered by federal and state statute as well as inequities created by hiring new faculty and by market conditions. The redress of such inequities, by adding appropriate increments to faculty base salaries, shall be accomplished by a joint decision of the Faculty Salary Committee and the Administration’s Compensation Committee while always protecting the privacy of any individuals involved. If consensus cannot be reached, the Administration cannot be prevented from redressing such inequities. In all cases, the Faculty Salary Committee will be informed in writing of the changes in salary.

L. By October 10th of each academic year, the Administration shall provide to the Faculty Salary Committee a list of all faculty salaries and benefits including rank, school, gender, date of hire and date of rank. The faculty salary committee agrees to maintain confidentiality. They agree not to share or discuss individual salaries with anyone outside the salary committee.

M. “Benefit Plans Overview **for Full-Time Faculty**”, ~~an outline a summary~~ of existing benefits, is incorporated in this document as Appendix 1.

N. Both the FACHEX plan and the Tuition Exchange Program are coordinated through the Office of the ~~Academic~~ Senior Vice President **for Academic Affairs**.

O. The benefits and conditions stated in this Memo of Understanding shall be reflected in all **2009-2010** letters of appointment. The Faculty Salary Committee and the Administration agree to begin collegial discussions of the **2010-2011** Memo of Understanding by October 1, **2009**. In the spirit of collegiality, and in furtherance of the President’s directive for a more collaborative system of governance, the Administration agrees to work with the Faculty Salary Committee to discuss salaries as well as any and all benefits; to provide all pertinent information; to receive recommendations concerning

benefits and any substantive changes to benefits; to discuss salary and benefit changes; to be receptive to faculty participation in a cooperative process with the intent of arriving at a mutually agreed upon Memo of Understanding for 2010-2011.

Faculty Salary Committee:

For the Administration:

Date: _____

Susan Rakowitz, Chair

William Weitzer, Chair

David Crawford

Robbin Crabtree

Joseph Dennin

Mark Guglielmoni

Rona Preli

William Lucas

Cheryl Tromley

**Memo of Understanding
Faculty Compensation (Salary and Benefits)
2009-2010**

After collegial discussions, the Faculty Salary Committee and the Administration have agreed to recommend to the General Faculty for ratification and to the Budget Committee for inclusion in the budget that they submit to the President and the Board of Trustees the following compensation package.

It is understood that if accepted by the General Faculty and Budget Committee and subject to the final approval of the Board of Trustees, through its adoption of the annual budget, all faculty appointments and compensation shall be in accordance with the provisions set forth herein (including the Benefits Plan Overview for Full-Time Faculty) and in the Faculty Handbook as currently amended. All individual, annual letters of appointment will be in accordance with the compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

In the event that either the General Faculty or the Budget Committee raise objections to the recommended compensation changes, the Faculty Salary Committee and the Administration will hold further meetings with the intention of resolving the objections. In the absence of a resolution, the Annual Budget adopted by the Board of Trustees shall be final regarding faculty compensation for the ensuing academic year. In this case, the Administration will provide the Faculty Salary Committee with the revised information called for in this document. All individual, annual letters of appointment will be in accordance with the revised compensation provisions of this document and with the Faculty Handbook (10th edition updated, 2006, and subsequent amendments).

Recommended Salary and Benefit Changes.

- A. All faculty will receive compensation and benefits in accordance with the provisions set forth below.
- B. The salary pool will be an increase of 0% of the faculty 2008-2009 salary pool. All salary increases are based on an evaluation of performance according to the criteria of the merit plan.
- C. All faculty who have not previously switched to cost-sharing of healthcare premiums will receive a salary increase of \$2250 spread out over two years. They will receive \$1500 in 2009-2010 and \$750 (plus the 2010-2011 standard merit increase on \$750) in 2010-2011. Faculty who voluntarily switched to cost-sharing previously will receive an increase of \$200.
- D. The 2008-2009 mean for each rank is:

	<u>Mean</u>
Professor	\$109,082
Associate	\$ 86,413
Assistant	\$ 69,221
Instructor	\$ 50,249

E. The Senior Vice President for Academic Affairs will work with the Deans to ensure that the results of the merit and self-evaluation process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas, taking into account distinctions in disciplinary approaches and programmatic and curricular goals. The SVPAA and Deans will also ensure that faculty are being given constructive feedback in the merit and self-evaluation process.

F. The Administration and the Board of Trustees are firmly committed to maintaining the average of the compensation of Assistant, Associate and Professor ranks at the 95th percentile for Class IIA institutions in the national AAUP ratings, subject to financial limitations. If the current average compensation in any rank is below the corresponding 95th percentile figure, then in addition to the increase described in section C above, each faculty member in that rank will receive the amount of the difference between Fairfield's average compensation for that rank and the corresponding 95th percentile figure. In addition, that difference plus the sustained/standard merit percent of that difference will be added to the next year's minimum starting salary for that rank.

G. The new minimum starting salary for each rank for 2009-2010 is as follows:

<u>Rank</u>	<u>Minimum</u>	<u>Maximum</u>
Professor	97,374	121,244
Associate	72,496	100,189
Assistant	61,500	84,065
Instructor	50,467	60,940

In 2010-2011, the minimums will increase by \$750, and then by the percent designated for the standard merit increase.

When market conditions require, new faculty members may be hired at salaries exceeding the above-designated maximums. The Senior Vice President for Academic Affairs will inform the Faculty Salary Committee in writing of each new position requiring a salary beyond the designated maximum. In all cases, the Faculty Salary Committee will be informed in writing of each hire that exceeds the above-designated maximum.

H. In the event of a promotion in rank, the faculty member will receive the greater of the following: a) \$1,000 plus an additional \$1500 if the faculty member had not previously switched to cost-sharing for healthcare (or an additional \$200 if the switch was made previously), or b) the minimum of the new rank plus any additional merit compensation awarded for previous years beyond sustained merit. Additionally, if he/she was a full-time faculty member prior to the 1997-

1998 academic year, \$1,188 will be added to his/her salary. This additional amount reflects savings from the 1996 change to a new health plan.

I. The salary paid for part-time instruction to full-time faculty members (beyond normal load) and the salary for credit courses for adjunct faculty who are not full-time faculty members will be as follows. Higher payments are occasionally made as market conditions dictate.

- The Administration will provide a list of adjunct salaries to the Faculty Salary Committee each semester.

- For an adjunct faculty member who is not a full-time faculty member, if a class meets two or more times per week during the academic year, the stipend will increase by \$150 per course.

- Actual teaching experience at Fairfield is counted for adjunct faculty.

- Two semesters per year are counted for full-time faculty.

Fairfield University Teaching Experience

<u>Degree</u>	<u>Under 8 Semesters</u>	<u>8-15 Semesters</u>	<u>16+ Semesters</u>
Non-terminal	\$3,409	\$3,648	\$3,965
Terminal	\$4,126	\$4,305	\$4,462

J. Existing supplemental salary pertaining to Chairs, Program Directors, etc. shall continue as in the past.

K. The Faculty Salary Committee and the Administration recognize the need to examine faculty salary distributions for gender inequities, racial inequities, and other inequities covered by federal and state statute as well as inequities created by hiring new faculty and by market conditions. The redress of such inequities, by adding appropriate increments to faculty base salaries, shall be accomplished by a joint decision of the Faculty Salary Committee and the Administration’s Compensation Committee while always protecting the privacy of any individuals involved. If consensus cannot be reached, the Administration cannot be prevented from redressing such inequities. In all cases, the Faculty Salary Committee will be informed in writing of the changes in salary.

L. By October 10th of each academic year, the Administration shall provide to the Faculty Salary Committee a list of all faculty salaries and benefits including rank, school, gender, date of hire and date of rank. The faculty salary committee agrees to maintain confidentiality. They agree not to share or discuss individual salaries with anyone outside the salary committee.

M. “Benefit Plans Overview for Full-Time Faculty”, a summary of existing benefits, is incorporated in this document as Appendix 1.

N. Both the FACHEX plan and the Tuition Exchange Program are coordinated through the Office of the Senior Vice President for Academic Affairs.

O. The benefits and conditions stated in this Memo of Understanding shall be reflected in all 2009-2010 letters of appointment. The Faculty Salary Committee and the Administration agree to begin collegial discussions of the 2010-2011 Memo of Understanding by October 1, 2009. In the spirit of collegiality, and in furtherance of the President's directive for a more collaborative system of governance, the Administration agrees to work with the Faculty Salary Committee to discuss salaries as well as any and all benefits; to provide all pertinent information; to receive recommendations concerning benefits and any substantive changes to benefits; to discuss salary and benefit changes; to be receptive to faculty participation in a cooperative process with the intent of arriving at a mutually agreed upon Memo of Understanding for 2010-2011.

Faculty Salary Committee:

For the Administration:

Date: _____

Susan Rakowitz, Chair

William Weitzer, Chair

David Crawford

Robbin Crabtree

Joseph Dennin

Mark Guglielmoni

Rona Preli

William Lucas

Cheryl Tromley

Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, 4/10/09

Faculty members will take part in annual merit evaluation and self-assessment by writing three short essays, one each on teaching, scholarly and/or creative activities, and service. The essays should inspire reflection on the year's achievements and suggest areas for improvement. Schools or curriculum areas may request that evidence be appended to the essays, e.g., teaching evaluations, new pedagogical materials or reprints of published work. The essays and appended materials will constitute the application for merit pay increases. In addition, faculty members will receive qualitative feedback on their performance from their chairs, program area directors, or a duly constituted committee.

This document describes the process and provides guidelines for writing the essays. There will be three potential levels of merit: "standard" and two levels beyond this (called "additional" and "extraordinary"). Whether merit is actually awarded in a given year will depend on budget considerations, but the yearly assessment should be done regardless of the status of the budget.

Below you will find an overview of what might constitute standard, additional and extraordinary merit in the three categories of teaching, scholarship/creative activity, and service, and additional detail on how to submit the assessments.

Standard Merit

Standard merit is a threshold that the great majority of faculty should be able to achieve annually. Because Fairfield University recognizes that effective teaching is critical to our mission and a fundamental promise that we make to our students, each faculty member must make a case for teaching effectiveness. In addition to demonstrating professional and quality engagement with teaching, the standard merit threshold requires a positive professional contribution in scholarly/creative activity or service. The evaluation period for standard merit is the calendar year.

Further Merit

Further merit is characterized by two levels, additional merit, and extraordinary merit. The differentiation among the levels is determined by the standards of the curriculum area according to the quality, impact, prestige, reach, difficulty, and/or rarity of the accomplishments. The lists below reflect some examples that distinguish among standard, additional, and extraordinary merit. These are not checklists but guides. The emphasis should be on the positive, professional contribution the faculty member has made through the activity.

The evaluation period for further merit includes all calendar years since further merit was funded by the salary pool.

The lists below indicate the types of achievements and activities appropriate to each level of merit. As stated above, Standard Merit requires sufficient achievements or

activities in teaching and one other area. To earn Additional Merit, the faculty member must demonstrate achievements at the Additional level in two areas and the Standard level in the third area. Extraordinary Merit requires achievements at the Extraordinary level in one area and at the Additional level in the other two areas.

The Application: Essays on Teaching, Scholarly/Creative Activity, and Service

There is a single application for all three levels of merit. It will comprise three short essays (or annotated lists) in the areas of teaching, scholarly/creative activity, and service (though only achievements in teaching and one other area are required for the standard merit threshold). Schools or curriculum areas may request appended information that supports the essays. If the faculty member has no activities or achievements to discuss regarding either service or scholarly/creative pursuits, that essay should be devoted to plans for that area. Candidates should have flexibility in making their case, and the arguments should be primarily qualitative because they are meant to inspire reflection. Each essay should be focused and concise, no more than 250 words or one double-spaced page. Each essay should discuss important highlights in that particular area and not be a detailed list of every activity. In years when there is further merit, the faculty member will specify the level of merit for which he or she is applying.

Below are some guidelines for what could be included in the three essays. The examples listed are not intended to be exhaustive or used as checklists; rather, they are illustrations of typical or common activities in the three areas. Within each area, activities that qualify a faculty member for a higher level include qualification for any lower level.

Note that the relative importance of the three areas within the review is reflected by their ordering. That is, consistent with the norms of the profession and the mission of the university, teaching is the most important thing we do, followed by scholarly/creative accomplishments, and then by service. However, individuals may emphasize different areas at different points in their professional lives.

The structures above reflect campus-wide values for teaching, scholarship and service in order to achieve standard merit. However, schools and curriculum areas differ in their disciplinary approaches to pedagogy and scholarship, accreditation requirements, and even service needs based on the size of the school. These differences may have an impact on the determination of merit through the addition of items in the bulleted examples below and through the merit review process itself.

Examples of Activities in Support of Merit

Teaching:

Teaching includes curriculum design and review, classroom instruction, quality advising, clinical/practicum supervision, close work with students outside the classroom, assessment of learning outcomes, and work that contributes to the improvement of teaching at the university. To qualify for standard merit in teaching, the faculty member must fulfill the relevant duties specified in the *Handbook* and provide evidence of active engagement in quality teaching. **These duties include: preparing, administering and grading exams; directing, grading and discussing papers and projects; submitting grades in a timely manner; maintaining office hours; and beginning and ending classes on time (*Handbook*, sections C.1.a, b, c, and d).**

Besides meeting these basic professional responsibilities, the faculty member must make the case for being actively engaged in quality teaching. The member should have teaching evaluations that support the case for teaching effectiveness, and the lists below contain some of the additional standard ways to demonstrate teaching effectiveness. The essay and supporting materials are not limited to these activities, and should emphasize how the activity contributes in a positive way to teaching in the department or program and at the university. Finally, where teaching evaluations are relatively weak, the essay should include explanations and plans for addressing any weaknesses.

Teaching effectiveness and contributions in the area of teaching should comprise the most significant part of any annual review.

Typical activities that, done well, might demonstrate achievement of Standard Merit:

- Consistently strong teaching evaluations (benchmarked by discipline, course level, and other considerations).
- Developing a new course or substantially revamping an existing course to meet program or university goals.
- Teaching a course that is significantly more labor intensive than a typical course in the curriculum area.
- Supervising an intensive student learning experience outside the traditional classroom (e.g., independent research, clinical/practicum supervision).
- Serving as the director of a master's thesis or project.
- Incorporating ideas from the Center for Academic Excellence or other pedagogical workshops into teaching.
- Above average student advisement load.
- Other activities that contribute significantly to effective teaching.

Activities that, done well, might demonstrate achievement of Additional Merit:

- Consistently very strong teaching evaluations (benchmarked by discipline, course level, and other considerations).
- Participating in peer review with colleagues in other departments or significant mentoring of others' teaching.
- Innovative advising and/or unusually heavy advising load.
- Directing student research teams.

- Teaching that contributes to institutional initiatives (e.g., team teaching, interdisciplinary teaching, cluster course teaching, service-learning, or teaching in conjunction with a residential learning community).
- Developing and/or maintaining clinical or other placement sites.
- Contributing substantially to a program self-study, or academic assessment or accreditation activity in a curriculum area.
- Other comparable achievements that contribute significantly to effective teaching.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

- Consistently superior teaching evaluations (benchmarked by discipline, course level, and other considerations).
- Contributing significantly to the institutional culture of reflective practice and peer review of teaching.
- Significant mentoring or unusually intensive work with students outside class or beyond the usual teaching load.
- Leading a program self-study, or academic assessment or accreditation activity in a curriculum area.
- Receiving a teaching award.
- Other comparable achievements that contribute significantly to effective teaching.

Scholarly/Creative Activity:

It is the responsibility of all professional scholars to participate in their academic communities, through innovation, application, and dissemination of scholarly work. The *Handbook* specifies forms of participation in the scholarly and professional community, namely: “Involvement in scholarly research or other professionally recognized creative activities; active participation in professional societies and educational organizations; and keeping abreast of current developments in one’s field” (*Handbook*, sections C.1.h, j, and k). The lists below contain some of the standard ways to demonstrate this active participation. Again, the essay is not limited to the activities listed below and should **emphasize how each activity makes a positive professional contribution and enhances the university.**

Evidence of and commentary on scholarly and creative contributions to one's field should comprise a significant portion of any annual review.

Typical activities that, done well, might demonstrate achievement of Standard Merit:

- Contributing in peer reviewed publications or creative works relevant to one's discipline or field.
- Presenting at a professional conference or meeting.
- Serving on a panel, roundtable, or special session at a professional meeting.
- Serving as a reviewer for a scholarly journal or professional society.
- Participating regularly in an ongoing scholarly or professional seminar.
- Serving as a reviewer of a tenure application at another institution.

- Communicating academic findings or contributing one's academic expertise to public dialogue through publishing, presenting, media commentary, or task force participation.
- Maintaining clinical licensure or certification relevant to one's professional program.
- Other significant activities that demonstrate contributions to the candidate's discipline or field.

Activities that, done well, might demonstrate achievement of Additional Merit:

- Publishing a peer-reviewed article in a mid- to top-level journal, chapter, or equivalent in exhibit or performance
- Leading a scholarly or professional workshop or seminar.
- Organizing a significant panel or program for a professional meeting or for a public forum for which one's academic expertise is needed.
- Giving a notable invited address or similarly notable exhibit.
- Making a scholarly contribution to the professional organization.
- Serving on the editorial board of a peer-review journal or publication series.
- Procuring external funding for one's research.
- Preparing and submitting a well-reviewed, but unfunded, major external grant proposal.
- Other comparable achievements that demonstrate scholarly/creative contributions to one's field.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

- Publishing a book that has been subject to some form of peer review, article in a top-tier journal or equivalent in exhibit or performance.
- Giving a major invited address or keynote at a major meeting.
- Planning and leading the program for a major scholarly meeting.
- Receiving a major grant from an outside funding source.
- Serving as editor of a peer-review journal or publication series.
- Receiving an award for research or similar recognition from one's academic peers.
- Other comparable achievements that demonstrate scholarly/creative contributions to one's field.

Service:

Service to the institution, at the level of departments, schools, or the university, is a vital aspect of our professional responsibility. The *Handbook* specifies basic forms of service to the institution namely, “Attendance at and participation in general faculty and curriculum area meetings; attendance at commencement, convocations and other functions at which the Academic Vice President may request attendance; and service on, and cooperation with, University and curriculum area committees” (*Handbook*, sections C.1.e, f, and g). Besides fulfilling these basic obligations, faculty members who want to qualify for merit in this area must demonstrate active participation in shared governance and promoting the well-being of the institution.

The lists below contain some of the standard ways to demonstrate active membership in the life of the university and/or the profession. Again, the essay is not limited to these activities and should **emphasize how the activity makes a positive contribution to the institution and/or the profession.**

Typical activities that, done well, might demonstrate achievement of Standard Merit:

- Actively serving on university, school, or department committees.
- Service to a professional organization.
- Organizing campus events.
- Ongoing volunteer community service that fits the mission of the university.
- Actively participating in recruitment, admission, and retention of students.
- Other activities that contribute significantly to the university or the profession.

Activities that, done well, might demonstrate achievement of Additional Merit:

- Chairing a department or directing a program.
- Serving the department, school, university and/or the profession in a significant way through participation on committees.
- Holding and fulfilling the responsibilities of a formal office in a professional association.
- Contributing substantially to the non-academic elements of an accreditation activity.
- Significant participation in the admissions process (e.g., reviewing applications, interviewing applicants, and contributing to the admission decision).
- Participating on a major university or school task force or equivalent.
- Other comparable achievements that demonstrate service to the institution and/or profession.

Activities that, done well, might demonstrate achievement of Extraordinary Merit:

- Providing major leadership to faculty and shared governance or making a particularly significant contribution through committee leadership.
- Providing leadership for a major university initiative.
- Holding a major leadership position in a professional organization.
- Leading the non-academic elements of an accreditation activity.
- Receiving a major service award from the university, professional society, or civic body.
- Other comparable achievements that demonstrate service to the institution and/or profession.

Support for any activity in the form of a course release, a university or school stipend, or other university funding for the work should be disclosed in the essays. Significant remuneration for an activity may be considered by the curriculum area head or merit committee to reduce the impact of the activity in the merit review.

Application Process Guidelines:

- The lists are not intended to be checklists but rather used as guides for faculty members to contemplate and present their significant accomplishments for the year. Schools and departments may expand upon items in the various lists and/or add to the lists those items appropriate to their disciplines and should maintain and distribute the revised list. However, because these lists reflect the activities that the institution as a whole values, schools or departments may not remove any items, although some items may receive greater or lesser emphasis consistent with disciplinary distinctions or programmatic and curricular goals.
- In applications, the emphasis should be on the quality of the work and how it reflects the faculty member's productive engagement with his or her department, school, university or profession.
- Because they are already extensively reviewed each year and they should be focused on longer-term, rather than annual, goals, untenured, tenure-track faculty members automatically qualify for standard merit in their first three years as long as their contracts are renewed. In years when further merit is available, they may apply for it. In addition, the merit assessments for untenured, tenure-track faculty should recognize that they do not have as many opportunities for leadership in service as tenured faculty do.
- By a specified due date each faculty member will submit her or his application to the head of the appropriate curriculum area or a committee within the area or school. The head or committee will make a recommendation to the appropriate dean as to what level of merit the candidate qualifies for. After the dean makes a final decision, the head or committee will communicate this decision to the faculty member. Individuals (whether the head of a curriculum area or on a committee charged with making merit recommendations) may not make recommendations regarding their own merit application.
- The annual review process should be summative for the purposes of awarding merit, but also must be formative. Each faculty member should receive feedback from the appropriate administrator (department chair and/or dean) indicating areas in which the faculty member can improve as well as areas in which he/she is doing well. This feedback should include constructive ideas for how this improvement might be accomplished and consideration of the support that is available to enable those improvements.
- The role of the Deans and the Senior Vice President for Academic Affairs will be to ensure that the results of the merit process in each curriculum area are appropriate and have a reasonable degree of consistency across curriculum areas. At the same time, the assessment of these results must be cognizant of distinctions in disciplinary approaches and programmatic and curricular goals.

- An appeals process will be developed by the joint Salary Committee (FSC and administrative team) in collaboration with the Deans and SVPAA prior to the first implementation of this plan.

Distribution of Funds

If the salary pool is at or below the increase in the cost of living (CPI-U), the entire pool will go to Standard Merit. If the salary pool is above the increase in the cost of living, then the percent going to Standard Merit will be cost of living plus one quarter of the remainder of the pool. Standard Merit will be distributed to recipients as a percent of salary or of the mean of the rank, whichever is greater. Additional and Extraordinary Merit will be distributed in such a way that each faculty member who receives Extraordinary Merit in a given year will receive the same dollar amount, and it will be twice the amount awarded to each recipient of Additional Merit.

**Motion passed by the Academic Council
March 9, 2009**

MOTION [Strauss/Robert]. The Academic Council will form a subcommittee, with faculty and administrative representation, to clarify policy on grade changes. Items for this subcommittee to consider would presumably include, but not necessarily be limited to, issues such as time frames when grade changes can be made, by whom, and under what circumstances. This subcommittee will be formed at the first Council meeting of fall 2009.

MOTION PASSED: 11 in favor, 0 opposed, 0 abstentions