

**Minutes of the Emory Faculty Council
16 November 2004
400 Administration Building**

In attendance: Ken Carter, Jo Ann Dalton, Dwight Duffus, Thomas Frank, Maggie Gilead, Carol Hogue, David Holtgrave [via conference call], James Hughes, Harriet King, Bill Kelly, Earl Lewis, Mike Mandl, Richard Metters, Judith Raggi Moore, Michael Rogers, Robin Mills Schreiber, John Snarey, Sharon Strocchia, Mike Terrazas, Richard Ward.

Excused: Rich Freer, James Morey, David Pacini, Nanette Wenger.

Absent: Raymond Dingledine, Arri Eisen, Albert Padwa, Thomas Pearson, Judith Rohrer, David Stephens, Daniel Teodorescu.

Guests: President Jim Wagner, Senior Vice Provost Charlotte Johnson, and Dean Robert Paul.

I. Call to order

Chair Sharon Strocchia called the meeting to order at 3:17 p.m.

II. Welcome

Chair Strocchia welcomed Council members and introduced Bill Kelly, recently elected as a representative of the Graduate School of Arts and Sciences; Robert Paul, Dean of Emory College; and Charlotte Johnson, Senior Vice Provost in Administration.

III. Approval of Oct. 2004 Minutes

The minutes were approved as distributed.

IV. Update on 2006 DFL Nominations: Mike Rogers

Chair-Elect Michael Rogers stated that the Distinguished Faculty Lecture committee has received nine nominations to date for the 2006 DFL. He noted that more nominations need to be solicited from a broader spectrum of schools. The deadline for nominations is 1 December 2004.

V. Presentation of Preliminary University Budget, 2005-06 [Report distributed]

Provost Earl Lewis introduced the University budget by noting the administration's continued commitment to ensuring sufficient resources for hiring and sustaining excellent faculty and staff.

Senior Vice Provost Charlotte Johnson gave a summary overview of key items in the budget report. Items brought to the Council's attention included the following:

- As the Emory Strategic Planning Committee continues its work, the budget should be aligned with the results of the strategic plan. The upcoming capital campaign will also be incorporated into the budget projections and plans. Although most monies from the capital campaign will not affect the University budget for 2005-2006, capital campaigns generally include some "planned giving" donations, which will support the University endowment over time.
- The administration is undertaking a comprehensive review of the internal allocation process at Emory. Budget officers are seeking best strategies for making this "taxation system" more fair across different schools. For example, over the last decade, Emory's hospitals have been paying an undue share of the administrative burden. The allocation review attempts to share costs more equitably across schools. In the short term, this means that some schools look like "net winners" while others do not share the same gains. In the 2005-2006 budget, for example, the Business School and the Law School gained resources, while the Nursing School lost some. In the long term, however, the reallocation should balance out. In addition, these reallocations will not have any impact on the academic budget of any schools.

- The administration is projecting a 5% decrease in endowment revenues for the coming year. This is due to the market. The decline could have been worse, but Emory has taken steps to soften the decline by constraining capital withdrawals.
- The administration is continuing its initiative re: providing a “living wage” for all Emory employees. A viable wage base for all members of the Emory community is essential.

Budget Review Committee Chair Richard Metters brought two related items to the Council’s attention:

- Emory’s endowment income is dropping. Coke stock has dropped another 20% in the last few weeks. Emory’s investment group has been working diligently to lessen Emory’s dependence on Coke stock (from 80% to 30%), but this takes time and political prudence.
- Healthcare costs are rising. These also affect Emory’s financial well-being because such costs consume an ever-larger amount of the budget itself.

Questions and discussion followed. Chair Strocchia asked how, if at all, political considerations affect Emory’s efforts to lessen its dependence on Coke stock. Provost Lewis responded by noting that the trustees understand Emory is at risk if it puts all of its financial assets into one company. President Wagner added that the relation between Emory and Coke has less to do with “politics” per se and more to do with “partnership considerations.” He noted that Emory’s Coca-Cola partners “have been very good to us,” and that Emory would not be as strong as it is today apart from those connections.

VI. Discussion of Discriminatory Harassment Policy, Grievance Procedures and Alternate Dispute Resolution [documents distributed in advance]

Dean Paul reviewed Emory’s draft policy on discriminatory harassment and updated Council members on developments in the policy discussion since the last Faculty Council meeting. He noted the presence of a “vast middle ground” between accusation and litigation: faculty members have requested that intermediate procedures be made available for individuals who want to voice a complaint but do not wish to jump immediately into litigation. Dean Paul also noted that discriminatory harassment issues do not usually come up among faculty members, but generally surface among staff instead. “But it’s still wise to be prepared,” he said.

Council member James Hughes noted that Emory’s schools lack a consistent “across the board” grievance procedure. While such uniformity might not be necessary, the University could benefit from an ombuds office that provides a university-wide process for voicing complaints in a non-litigious manner. At the same time, Dr. Hughes noted, an ombuds office would remain strictly voluntary: a complainant would be under no obligation to go through this office, and if he or she wished to litigate, nothing could prevent him or her from doing so. “The accuser could still pull the trigger [press formal charges] at any point,” he concluded.

Chair Strocchia introduced a memo by Council member Rick Doner and spoke on Dr. Doner’s behalf regarding the memo’s intent and content. The memo highlighted three issues that the new policy should take into consideration: 1) Recognize the need for early intervention. 2) Have plenty of faculty involvement, rather than moving immediately to litigation. 3) Adopt a stance of “guided responsibility.” Strocchia concluded by noting that an ombuds office could offer a fair standard of practice across all sectors of the university, including students, staff, and faculty.

Discussion and questions followed. Dr. Paul suggested that faculty members could be trained as peer mediators and advisers for early-stage grievance processes. In this scenario, the complainant could choose the faculty member with whom s/he wished to work. Council member Bill Kelly voiced a concern that a university-wide grievance process, even if detached from the EOP, could still reach the same level of publicity and potential damage that the formal legal procedures can cause.

President Wagner suggested that Emory must choose between two larger philosophies of grievance-management as it plans for the future. The first is a “management” style, which is consequence-oriented and makes policy violation a central focus. The second is a broader “governance” approach, which sees grievance less as a matter of “violation” and more as a process through which the Faculty

Council engages the creative work of governing the university productively. “‘Grievance’ could be productive [in this model] because it could give rise to policy change,” he said. “This in turn could strengthen the faculty’s structural capacity for governance.” Past-Chair John Snarey agreed with this model for grievance proceedings. If grievance can be located in faculty governance structures, rather than in administrative structures, he said, “then at least we have a chance of being heard” in the process.

Chair Strocchia said that the Faculty Council needs to continue the grievance discussion and help arrive at some resolution. A motion was introduced to have the Executive Committee of the Faculty Council meet with the President and other administration members in the coming month to continue the discussion. The motion was passed.

VII. New Business

There was no new business.

VIII. Adjournment

Chair Strocchia adjourned the meeting at 5:08 p.m.

Respectfully submitted,

Stacia M. Brown
Assistant to the University Senate and Faculty Council