

**MINUTES OF THE 328th GRADUATE COUNCIL MEETING  
UNIVERSITY OF NOTRE DAME  
MARCH 21, 2012**

**Members present:** Greg Sterling, Phil Bess (for Dean Michael Lykoudis), Brian Blake (for Dean Peter Kilpatrick) Sunny Boyd, Dave Campbell, Ellen Childs, Thomas Corke, Jeremy Fein, A. Graham Lappin, Gerald McKenny, Nell Newton, Sam Rund, Jeffrey Schorey, Mark Schurr (for Dean John McGreevy), Diane Parr Walker

**Graduate School representatives present:** Brian Flaherty, John Lubker, Ed Maginn, Nyrée McDonald

**Guests present:** Sean T. O'Brien, Assistant Director, Keogh-Naughton Institute for Irish Studies

**Members excused:** Panos Antsaklis, Bob Bernhard, Laura Carlson, Thomas Corke, Greg Crawford, Mark Cummings, Darren Davis, Michael Desch, Margaret Doody, Roger Huang, Michael Lykoudis, Marvin Miller

**Reporter:** Mary Hendriksen

Dean Sterling welcomed Graduate Council members to the fourth and final Graduate Council meeting of the 2011-2012 academic year. He took up the agenda items as follows:

**1. Minutes of the meeting of January 31, 2012:** The minutes of the Graduate Council meeting of January 31, 2012, were approved as presented.

[They are now posted

at<http://graduateschool.nd.edu/assets/64606/graduatecouncil.minutesjanuary2011.3.pdf>]

**2. Overview of the Law School and Current Challenges by Dean Nell Jessup Newton:**

Dean Newton gave a short overview of the Law School for the benefit of Graduate Council members, many of whom deal with graduate as opposed to professional students. It is important for members of the Graduate Council to know something about the professional schools, since they are constituent members of the Graduate Council.

Dean Newton said that current enrollment for Notre Dame's JD program is 563 students. With a budget that is based on enrollment rather than an allocation from the Provost's Office, she is pleased to report that the Law School's relationship with central University administrators is not one of her challenges. Also, at some institutions, the law school is a "cash cow" for the university, which presents several difficulties. That is not the case at Notre Dame.

Dean Newton listed the top current challenges of the Law School:

*Location:* While only an hour and a half away from Chicago, the law school is far enough away to make the commute unattractive to most prospective faculty. Also, in large metropolitan areas,

there is a large pool of practicing attorneys eager to teach a class in their area of specialization—even without pay. We simply do not have that large pool in South Bend.

*Size of faculty:* Students are demanding more specialized programs, concentrations, and classes. This, of course, requires more faculty.

Dean Newton explained that a lecture class—at many law schools, one professor may teach a lecture course to about 140 students—costs very little. At Notre Dame, our largest class is 70-90 students. In contrast, a clinic, with a faculty/student ratio of one to eight, obviously requires more resources. Thus, the Law School has raised tuition \$1,000/year over the next three years to raise the funds to increase the size of the faculty by eight positions.

*The Recession and its Effect on the Job Market:* In the not-too-distant past, the challenge for law students, including Notre Dame students, was choosing which of their six or so job offers to take. Now, with the recession, the Law School's placement rate has dropped from about 95% to 75% in 2011, with projections being closer to 70% in 2012.

To add to students' distress, Dean Newton said, many have loans of \$250,000 or \$300,000. Regarding debt, Dean Newton said that because South Bend has a low cost of living, the average debt load of Notre Dame law students is below the national average. She also said that Notre Dame is third-lowest in terms of cost in schools in the top 30 (with Notre Dame currently ranked 22<sup>nd</sup> in *US News and World Report*.)

One strategy to combat the current placement rate is the Law School's Public Service Initiative, begun in 2010. Participating graduates receive stipends for working with a government or nonprofit employer in their targeted area of the country. The program has enabled qualified 2010 and 2011 graduates to gain legal experience and develop additional contacts and references, all while providing a valuable service to the public. Students who have participated in this initiative have done well in landing permanent positions as a result of their work.

Dean Newton then spoke briefly about various graduate-degree programs in the Law School, with the central program being the LL.M. in International Human Rights Law. Among the most prominent of these programs in the world, it now enrolls between 17 and 22 students a year for training in the substantive and procedural aspects of human rights law. Graduates return to their countries to continue their commitment to this area of practice. The second program Dean Newton highlighted was the new master's in patent law program, approved by the Graduate Council earlier this year and launching in Fall 2012.

In closing, Dean Newton said that metrics show that the quality of the applicant pool and entering class is rising. For strategic reasons, the Law School has decided to concentrate more on GPAs of the entering class rather than LSAT scores, as the former helps more in the rankings. Also, Dean Newton emphasized to Council members that the Law School reports its placement figures entirely accurately—which may not always help in the rankings—but is, of course, the right thing to do.

Dean Sterling thanked Dean Newton for her informative report.

**3. Proposed Graduate Minor in Irish Studies:** A graduate minor is defined by the Graduate School as “a guided academic credit-bearing course of study designed to supplement work in a primary degree program with an additional substantial expertise. It is expected that the course of study will be recognized by other institutions as conferring a level of valued expertise.” [See [https://graduateschool.nd.edu/assets/4524/info.faculty.minor\\_programs.pdf](https://graduateschool.nd.edu/assets/4524/info.faculty.minor_programs.pdf)] The Graduate School recognizes three minors: Gender Studies, Quantitative Psychology, and Screen Cultures.

Today’s proposal is for the creation of a new minor in Irish Studies. The University of Notre Dame has one of the preeminent Irish Studies program in the world. With 32 Ph.D. students currently pursuing degrees with a focus on Irish Studies in the Ph.D. in Literature program, and the Departments of English and History, there is a steady stream of students expected to earn the minor at any given time.

The proposed minor will consist of:

- 12 credit hours of Irish Studies graduate courses—six in the Irish Language and six credit hours in courses approved by the elected faculty Irish Studies Steering Committee.
- 2 semesters of participation in the one-credit Irish Studies ProSeminar
- Evidence of substantial research in an Irish Studies area, such as a published article, a conference paper, or a dissertation chapter.

There are 19 faculty fellows in the Keough-Naughton Institute for Irish Studies who will support the minor.

Sean O’Brien, Assistant Director of the Keough-Naughton, attended the meeting to represent the Institute and to answer members’ questions. He emphasized that Notre Dame is renowned worldwide for its Irish Studies faculty and programs. Earning the minor will make Notre Dame graduate students more competitive on the job market.

Prof. McKenny asked about arrangements for teaching the one-credit Proseminar, based on semester-long Irish Studies Seminar events. Dr. O’Brien said that he would most likely teach the course, as he attends all the events as a matter of course. Requiring that students attend will boost attendance at these events as well.

Dianne Walker, Director of University Libraries, gave her support to the proposal. Irish Studies is well positioned for the minor, she said, in that library holdings are among the strongest in North America—even the world. With these holdings and the fact that the University has a full-time Irish Studies librarian, no new resources are required for the minor.

Dean Sterling asked for a vote on the minor, which was 12 to 0 in favor.

**4. Dismissal and Appeal Procedures:** At the past two meetings, the Graduate Council examined, discussed, and ultimately approved a new *Academic Code* for graduate students. The *Code* was then sent to the Advanced Studies Committee of the Academic Council, as well as the Faculty Senate, en route to final approval by the Academic Council.

The Advanced Studies Committee recommended two changes, which were presented to Graduate Council members at the meeting:

**(a) Departmental Resolution Process:** The Committee suggested that rather than departments being allowed (“may”) to develop a formal grievance procedure, there should be a *requirement* that they do so. This was simply an oversight, Dean Sterling explained. Programs have been required to have a formal grievance procedure in place since October 2010. In fact, they are to send their grievance procedures to the Graduate School’s Associate Dean of Students, John Lubker, for approval. Graduate Council members agreed unanimously with this change.

**(b) Dismissal of a Student:** The second change involves the sections on dismissal of a student—specifically, whether a student’s inability to secure an advisor should be cause for summary dismissal.

One of three sections on summary dismissal (with the other two being “Extreme Academic or Laboratory Underperformance” and “Threat to Health and Safety”) Graduate Council members saw in January stated:

*In some cases, due to under-performance or other academic difficulties, a student may not be able to secure a laboratory and/or an advisor. Normally, the student will be given funding for the remainder of a semester in which the student has registered. If the student and the Director of Graduate Studies are unable to find an advisor, the student may be dropped from the program.*

The Advanced Studies Committee suggested deleting this language and including a line in the preceding section on “Extreme Academic or Laboratory Underperformance” stating: “Examples of extreme laboratory underperformance would typically include a student’s inability to secure an advisor and/or laboratory or dismissal from a laboratory.”

Dean Sterling gave some background: When the Graduate School promises five years of funding conditioned on satisfactory performance, we are obligated to fund the student as a moral duty. The idea of this clause, however, is that a student without an advisor has somehow, by substandard performance, found him/herself in that situation.

Graduate Council members discussed various scenarios of students without advisors: radically changing research or dissertation topics, or the advisor leaving the University are two situations in which lack of an advisor is not due to the student’s underperformance. Yet, all recognized the intractable problem: students cannot make satisfactory progress without an advisor.

Mr. Rund, GSU President, said that he preferred the original language, as it gave students who lack an advisor through no fault of their own at least a semester of funding rather than summary dismissal.

Prof. Fein said that the debate involves what one calls the situation of a student lacking an advisor. The original version did not label it as “underperformance” in all cases.

Dean Sterling acknowledged that the original version afforded students more protection. He pointed out that only once in four years has he been called on to adjudicate a situation of a student without an advisor. Students change topics, and faculty members leave, but normally, departments are able to adjust.

With consensus to change the text back to the original, albeit with a few variations, the Council voted unanimously to approve the following language:

A student can be immediately dismissed from his or her program of study for the following reasons without a warning letter or a period of probationary status.

**Extreme ~~Academic and Laboratory~~ Under-performance:** This dismissal will be applied to a student whose performance is deemed wholly unacceptable by the student’s adviser, director of graduate studies, or program faculty. A G.P.A. below 2.5 in any single semester, or below 3.0 for two consecutive semesters; three consecutive U grades in research are examples of extreme underperformance. ~~Examples of extreme laboratory underperformance would typically include a student’s inability to secure an adviser and/or laboratory or dismissal from a laboratory.~~

**Inability to Secure a Laboratory/Adviser:** In some cases, ~~due to underperformance or other academic difficulties,~~ a student may not be able to secure a laboratory and/or adviser. Normally, the student will be given funding for the remainder of the semester in which the student has registered. If the student and the director of graduate studies are unable to find an adviser, the student may be dismissed from the program.

Dean Sterling said that he will send notice of members’ votes to both the Faculty Senate committee now considering the language, as well as the Advanced Studies Committee, and Prof. Dan Myers, who has responsibility for the Academic Council agenda.

Before adjournment of what was the final Graduate Council meeting of the year, Prof. McKenny noted that Dean Sterling will be leaving the University this summer to take a post as Dean of the Yale Divinity School. He thanked Dean Sterling for the tremendous impact he has had on graduate studies at Notre Dame and, with applause, all members acknowledged that impact and wished him well at Yale.

The meeting was adjourned at 4:45 p.m.