

**MINUTES OF THE 326th GRADUATE COUNCIL MEETING  
UNIVERSITY OF NOTRE DAME  
NOVEMBER 15, 2011**

**Members present:** Greg Sterling, Panos Antsaklis, Bob Bernhard, Laura Carlson, Paolo Carozza (for Dean Nell Newton), Ellen Childs, Thomas Corke, Mark Cummings, Darren Davis, Michael Desch, Jeremy Fein, Roger Huang, Peter Kilpatrick, A. Graham Lappin, Gerald McKenny, Marvin Miller, Peter Kilpatrick, John McGreevy, Sam Rund, Rich Taylor (for Dean Greg Crawford), Diane Parr Walker

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

**Members excused:** Sunny Boyd, David Campbell, Margaret Doody, Michael Lykoudis

**Guests present:** Karen Deak

**Reporter:** Mary Hendriksen

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

**1. Minutes of the meeting of October 12, 2011:** The minutes of the Graduate Council meeting of October 12, 2011, were approved as presented.

<https://graduateschool.nd.edu/assets/54162/graduatecouncil.october2011.minutes.3.pdf>

**2. Announcement regarding the committee to study professional master's programs:** Dean Sterling updated members on the suggestion made at the last Graduate Council meeting to convene a committee to study professional masters' programs as a whole—both their increasing popularity in this country and their place at Notre Dame. He has sent out invitations to potential members of this four-member committee, which will include one representative from each division. They will make a report to him and the Graduate Council by the end of the academic year.

**3. Proposal for a Master's in Patent Law:** At the Council's October meeting, members discussed a proposal for a master's in patent law that had been approved by the college councils in law, science, and engineering. The proposed program is an interdisciplinary two-semester professional master's program that will train students with backgrounds in science or engineering to become patent agents (as distinguished from patent lawyers) skilled in patent analysis, preparation, and prosecution.

With the Council one member short of a quorum at that meeting, members could not vote on the proposal. Minutes were distributed shortly after the meeting and members not able to be present on October 12<sup>th</sup> were invited to meet with the proposal's chief spokesperson and advocate (and, if approved, its presumptive director), Dr. Karen Deak.

At today's meeting, Dean Sterling asked if any members wished to comment on the proposal or to raise questions concerning it. None did. With a motion to vote on the proposal made and seconded, Dean Sterling called for a vote on the proposed master's in patent law. It was unanimously in favor: 17 to 0, with no abstentions.

**3. Election of the Executive Committee:** Every year, the full Council elects three members and one student to form an executive committee along with the Dean of the Graduate School, the associate deans, and a liaison from the Academic Council (this year, Prof. Panos Antsaklis). Dean Sterling announced that three faculty members had agreed to stand for election for the 2011-2012 year: Sunny Boyd, Graham Lappin, and Diane Parr Walker. The Council's two student members agreed that GSU president Sam Rund should be their nominee. Dean Sterling asked for a vote, and the four nominees were elected by acclamation.

**4. The Academic Code:** Dean Sterling explained that last spring, the Graduate School was asked to consider separating the academic codes for graduate students and undergraduate students that, until now, all students had shared. Given the significant differences between requirements for the two groups of students, he thought it a good idea.

The Graduate School developed a draft Code by putting together the sections of the previous code with sections from the current Graduate School *Bulletin*. [https://graduateschool.nd.edu/assets/51916/bulletin\\_1112.pdf](https://graduateschool.nd.edu/assets/51916/bulletin_1112.pdf) Dean Sterling further explained that he decided to make the Code direct and to the point, while keeping the *Bulletin* more expansive—providing commentary and some examples. There were a number of gaps between the current code and the *Bulletin*. The Graduate School has made an effort to fill in these gaps. The Directors of Graduate Studies have participated in discussions on certain sections, particularly the provisions on academic integrity—both those in the draft Code and in the current *Bulletin*.

Dean Sterling explained that the purpose of the discussion at this meeting was not to vote on the new Code, since it was still in draft form, but to comment on specific sections. Once the revised Code is approved by the Graduate Council—which he hopes to occur at the January 31<sup>st</sup> meeting—the Advanced Studies Committee of the Graduate Council will consider it, and then the full Academic Council. The goal is to have the new Code in place by Fall 2012.

Members were sent the draft Code in advance. While invited to comment on any portion of the draft, Dean Sterling took up certain provisions at the meeting:

**(a) Residency (p. 4):** This is a new provision—partially in response to a DGS asking the Graduate School to clarify “residency.” At present, while there is no definition of a resident and non-resident student, if students become “non-resident,” they pay a minimal fee—\$200/semester. The question is how to define residency and nonresidency.

The draft Code proposes: *Residency status will be determined by a student's continual presence or non-presence on campus. If a student is on campus a majority of the days of a week or a majority of weeks per month, he or she will be considered in residence. If a student is not present on campus in this fashion, he or she will be considered a non-resident student. A student*

*classified as a non-resident cannot use University services, such as meal plans, student housing, and athletic facilities, except for the library.*

Dean Sterling said that the definition intentionally remains subjective—for example, it does not specify that a student must live a certain amount of miles from campus, etc.

Dean Kilpatrick said that he advocates remaining as lenient as possible on the issue of residency, so that students can have access to campus services. Dean Sterling clarified that the student is the one who requests non-resident status—not the Graduate School. The reason is that, without a scholarship, tuition for “residents” is nearly \$41,000/year. [See the current *Bulletin*: “For the full-time graduate student, the tuition for the academic year 2011–2012 is \$40,800. [NOTE: This does not include the health and technology fees.] Tuition for the part-time student is \$2,267 per semester credit hour. Non-resident tuition is \$200 per semester.” [http://graduateschool.nd.edu/assets/51916/bulletin\\_1112.pdf](http://graduateschool.nd.edu/assets/51916/bulletin_1112.pdf) (p. 23).]

**(b) Course Numbering (p. 5):** Dean Sterling said that one issue presented by any course-numbering formula relates to non-degree graduate students—specifically, how many undergraduate courses they can take. The draft Code specifies that “students are expected to register for at least 3 hours of coursework at the 60000 level or higher every semester that they are enrolled.”

Dean Sterling said that some categories of students this provision affects are: Holy Cross novices with bachelors’ degrees who study for one year as graduate students to fill in gaps and then spend another year as novices before entering a master’s of divinity program; athletes who stay for a fifth year of eligibility and who most frequently take undergraduate courses; and alumni/ae or other visitors with bachelor’s degrees who simply want to take graduate courses for personal interest. Dean Sterling added that one way for non-degree students to meet this requirement is to enroll in an advanced undergraduate course (numbered 40000-59999) as a 60000-level course. This ensures that they must meet more rigorous requirements than undergraduates.

In response to a question from Mr. Rund, Dean Sterling clarified that the provision does not affect advanced degree-seeking students who have completed their coursework and are engaged in research or writing a dissertation. They will register for nine hours of dissertation work. In response to a question from Prof. Corke, he further clarified that non-degree-seeking students generally have a plan of study, although they may not be affiliated with a specific program.

Dean Kilpatrick asked if there is a category for non-degree-seeking *undergraduate* students. If so, that would solve the problem. Dean Sterling said that he spoke with Athletics about this issue and was told that the NCAA frowns on students who graduate remaining in undergraduate status. Also, there is some benefit to the Graduate School, in terms of tuition dollars, of classifying fifth-year athletes and other post-baccalaureate students as graduate students.

Prof. Lappin asked if athletes had commented on the proposed provision. Perhaps they would not take a fifth year of eligibility if required to enroll in at least one 60000-level course. Dean Sterling said that the proposed draft had been circulated to the Faculty Board on Athletics, although students themselves did not see the draft.

A second issue is how many undergraduate courses should be permitted to count for a graduate degree. The *Bulletin* now says that no more than 10 credit hours should be allowed, but Dean Sterling said that he believes it is advisable to change this to 6 credit hours, or two courses.

In response to a question from Dean Sterling, no members knew of a department in which courses typical for this situation would be more than 3 credits. The consensus of members was that the draft's provision that up to 6 hours of undergraduate credit can count towards a graduate degree is correct, with the proviso that it be amended to include the words "or two courses." Prof. Taylor pointed out that because opportunities for directed readings allow a workaround, this should not present a problem for students.

**(c) Grades:** The issue here, Dean Sterling said, is that students take courses at different levels. Should the instructor assign a grade on the basis of the student's status, or the course's level? He believes that basing grades on the *course* is the correct stance—and members indicated their agreement.

Given agreement on this point, Dean Sterling said, the next question presented is whether the graduate grading scale should be the same as the undergraduate scale, or different. Currently, the Graduate School allows only grades from A to C and then F. It does not allow a C- or a D, which are accepted for undergraduates. If courses are graded on the basis of the level of the course, there is a problem if the scale is different for graduate courses than it is undergraduate courses. Now, Dean Sterling said, he is proposing a compromise. The Graduate School would allow a grade of C- or D, but not allow a course in which that grade is received to count towards a degree requirement. This allows students to take chances in an area where they might like to experiment, but tries to preserve standards for degree requirements.

Prof. Davis asked the justification for using a grading scale for graduate courses. Dean Sterling responded that the single greatest factor is transparency—particularly for people outside of the University. A second is distinguishing the best students. The grade of A should be reserved for the truly outstanding student.

Prof. McKenny commented that Dean Sterling's point relates to his understanding of why grades of C- and D are not allowed by the Graduate School. In effect, he said, they are equivalent to an F for a graduate student, who is expected to have a certain mastery of the subject matter. Thus, he would favor maintenance of the status quo. Dean Sterling said that the counter argument is that the change proposed allows students to leave their comfort zones and take courses in a totally new subject area. Students are not always allowed to take courses pass/fail; however, it is true that they can nearly always audit such a course.

Prof. Taylor commented that he knows of several graduate students who did take a course outside of their field and earned a B—which can destroy a GPA in a world of over-inflated

grades. A further complication is that many departments give grades for research that are A “or bust.” This practice skews GPAs, which are important in winning fellowships. Prof. Taylor added that he favors co-listing of courses. This technique legitimizes separate scales for graduate and undergraduate students in the same course.

Prof. Corke asked if the Graduate School considered changing the policy for the lowest level of GPA allowed. No, Dean Sterling responded. The standard that a GPA below 2.5 for one semester or below 3.0 for two semesters is grounds for dismissal remains unchanged.

Dean Sterling said that a related problem is graduate students taking undergraduate courses to pad their GPAs. The two-course requirement discussed above takes care of that issue.

Prof. Lappin returned to the question of students taking courses out of their comfort zones—courses that could be extremely difficult for them. Some thought needs to be given to this problem, he said, as it is something that we should encourage. Dean Sterling said that perhaps Pass/Fail options for graduate courses should be explored in greater depth. This might be a way to encourage graduate students to try new areas of study without undue risk. He asked Associate Dean John Lubker to consider language on this point for the next draft of the Code.

**(d) Graduate Student Status:** Dean Sterling then turned to discussion of new system of graduate student status (pp. 11-13). It establishes three status designations: In Good Standing/On Warning/and Probation. He noted language in the Probation section that students with this status forfeit financial support from the Graduate School except for a tuition scholarship that covers 8 of the 9 credit hours.

Prof. Taylor suggested that the Code include language that departments are free to create their own standards and procedures. Thus, a student could be in good standing in the Graduate School, but not so in the department. Dean Sterling agreed that departments could have more stringent standards than the Graduate School, saying that departments need only include their standards in the departmental handbook. Prof. Lappin said that there could be confusion on the part of students. What if a department terminates the student, but they are not even on probation according to the Graduate School? Dean Sterling concurred that probation must be uniform to avoid such scenarios. There is room for distinction in terms of what triggers probation, but the process of probation must be uniform.

Dean Sterling said that the new structure is intended to balance the rights of students and the importance of maintaining standards. The point is to give a broad framework so that there is uniformity and equity—but also allows programs flexibility.

Dean Sterling asked for a show of hands on preference for a two-step or three-step procedure. Nine members preferred the three-step procedure; six a two-step process, with the stipulation, one member said, the program handles the first step—a warning.

Dr. Bernhard pointed out that any appeals process constitutes another step in the dismissal process. In his experience, dismissals can go on much too long. Thus, he favors a two-step process, because appeals are essentially a third step.

**(e) Time Limit for Completion of Doctoral Requirements:** The draft Code proposes that a student must fulfill all requirements for the doctoral degree within eight years of matriculation. A one-year extension is possible—renewable once—but students granted this status will pay a dissertation completion fee of \$2500 per semester and register for one credit hour of enrollment.

Dean Sterling said that some of the language of this provision is based on Princeton’s policy. There, all financial assistance terminates after five years. Students can have an additional two years to complete the dissertation, but without support.

Dean Kilpatrick asked what data are available on how rules of this type impact completion rates. Dean Sterling said he looked at how many students given extensions in their ninth and tenth years at Notre Dame complete their degrees. The number is 83 percent. He added that statistics on time to degree show steady improvement. Students at Notre Dame in the STEM disciplines largely complete in five years; humanities students are closer to seven, with the national average closer to eight years; and social sciences students are similar to the humanities.

Dr. Bernhard noted that in the distributions he has seen for time to degree, the “tails” are very long. This pushes the averages up.

In response to a question from Dean Kilpatrick, Dean Sterling said that the completion averages for some humanities students are high because of language requirements, archival work, etc. Some of Notre Dame’s programs with relatively long time-to-degree statistics are top-tier programs with excellent placement rates.

Mr. Rund asked about how the non-residency policy works with the completion policy. Dean Sterling responded that in his experience, students who remain at or near the University are more likely to complete and to do so at a higher level. Thus, some may advocate raising the cost of non-residency—perhaps considerably. Mr. Flaherty pointed out that at Princeton, residency and non-residency are options at every stage.

Prof. Miller asked about the effect of medical leave on the eight-year completion requirement. Dean Sterling confirmed that such leave is excluded from the calculation of time to degree. It stops the clock.

Dean Sterling asked members to send comments on the current draft Code to Associate Dean John Lubker. Again, he expects to bring the Code to a vote at the January 31<sup>st</sup> Graduate Council meeting.

**5. Election of Review Committee for Dean Sterling:** In keeping with *Academic Code* provisions [[http://facultyhandbook.nd.edu/assets/52517/academic\\_articles\\_final\\_r1\\_20110701.pdf](http://facultyhandbook.nd.edu/assets/52517/academic_articles_final_r1_20110701.pdf)], Provost Tom Burish and Senior Associate Provost Chris Maziar explained procedures for the five-year review of Dean Sterling. Elected to the committee were: [TBD].

