

EXECUTIVE SUMMARIES

Advancing an Agenda for Excellence:

Supporting Faculty Retirement Transitions

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Office of Institutional Initiatives

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The Alfred P. Sloan Foundation is delighted to support our partners at ACE in sponsoring the Executive Summaries of the 2011 ACE "Advancing an Agenda for Excellence: Supporting Faculty Retirement Transitions" conference. We hope this material proves to be a helpful distillation of the key highlights and important topics covered in this year's fascinating sessions.

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Opening Welcome

- Speaker: **Kathleen Christensen**, Program Officer, Workplace, Work Force, and Working Families, Alfred P. Sloan Foundation

Overview

In an era without mandatory retirement requirements for faculty in higher education institutions, how can institutions ensure smooth retirement transitions for their retiring faculty while meeting their own institutional needs? There are many issues surrounding this challenge. Faculty are generally averse to retiring for a number of reasons, while institutions desire that faculty retire at a measured pace for reasons of program sustainability. What are the win/win practices and policies that optimally serve the diverse needs of both long-serving senior faculty and the roles they are not ready to leave? ACE and the Alfred P. Sloan Foundation are exploring these and related questions with the help of conference invitees and the broader higher education community.

Context

Kathleen Christensen welcomed attendees, including more than 80 presidents, vice presidents, provosts, and other executives from 58 U.S. colleges and universities. She described the productive partnership that ACE and the Sloan Foundation have enjoyed and provided an overview of the issues that participants would probe.

Key Takeaways

- **The aging professoriate presents daunting challenges for higher education.**

The U.S. professoriate is aging, yet many professors in their 60s and 70s are not ready to retire. Complex and diverse reasons underlie their reluctance:

- *Financial.* After the recession depleted many retirement savings accounts, many professors are concerned about financial security in retirement.
- *Health-related.* Many are feeling healthy and energetic and desire to keep working.
- *Psychological.* The identity of many professors is inextricable from their academic work; they can't imagine life after the academy.
- *Social/emotional.* Many faculty are deeply invested in campus life, having spent most of their adult lives at the institution. They are not ready to sever the ties.

"Retirement for many faculty is social death, or at least they're afraid that it is."

— Kathleen Christensen, quoting University of Virginia president Teresa Sullivan

The era of mandatory retirement is past; faculty cannot be forced to retire. Yet many professors are choosing not to do so.

At the same time, colleges and universities are trying to control costs, open slots for younger faculty, and manage the voluntary retirement process by offering incentives while not triggering a mass exodus. It is a tricky balancing act that requires institutions to navigate between their own needs and those of loyal, long-serving faculty. These daunting challenges have received little national attention.

- **ACE is working to discover win/win solutions that meet needs of institutions and their senior faculty.**

ACE, with the Sloan Foundation's support, is embarking on an initiative to understand how colleges and universities are coping with these challenges. Specifically, ACE is identifying ways that institutions can support the culminating stages of faculty careers by facilitating transitions, preserving legacies, and promoting continuing contributions to the community. To these ends, under the direction of Claire Van Ummersen, ACE has been:

- *Developing a new awards program to recognize institutions that have implemented solutions to these challenges.* The program will serve to share their best practices with the higher ed community, and bring national attention to these critical and timely issues.
- *Working with nine pilot institutions to explore best practices.* This conference showcases the preliminary results of this work, exploring practices in use today that effectively support later-career faculty in their retirement transition while meeting institutional needs. That is the win/win scenario these challenges demand.

- **The Sloan Foundation is pleased to be supporting ACE in this important work.**

The Sloan Foundation has been researching and promoting workplace flexibility for many years, partnering with organizations in government, the private sector, and organized labor. Since 2003, Sloan has partnered with ACE to target improved work/life balance and career flexibility in higher education. In the world of higher education, culture is a formidable obstacle to nontraditional career pathways. Working together, Sloan and ACE have identified the cultural barriers, brought awareness to the issues, and promoted best practices. The workplace flexibility research has informed the understanding of faculty retirement issues. Understanding the cultural stigmas sheds light on attitudes toward retirement.

Sloan is pleased to be supporting ACE once again, in this important work focusing on latter-stage faculty careers.

"One of Sloan's most—if not the most—successful partnership is with the American Council on Education."

— Kathleen Christensen

Framing the Discussion: Faculty Retirement and Institutional Response

- Speaker: **Sylvia Manning**, President, Higher Learning Commission; former Chancellor, University of Illinois at Chicago

Overview

The aging of the professoriate presents a threat to higher education. The product of higher education is knowledge, and knowledge requires renewal. There is no source of knowledge renewal like the power of healthy turnover.

Our society has not yet figured out how to deal with issues of increased longevity. The laws that protect the aged from discrimination make it difficult for institutions to act when they legitimately must. Their only clear recourse, which is to document performance failures, is costly and undesirable.

Solutions are needed that re-envision and reframe the very nature of retirement. The goal is to create win/win solutions for both individual faculty and institutions.

Context

Sylvia Manning framed the discussion of faculty retirement by sharing two incompatible points of view, both of which she ascribed to herself. She left it to attendees to figure out what to do. As someone who has held both faculty and provost roles and “flunked retirement” herself, Dr. Manning has a first-hand perspective of the issues.

Perspective: The Institutional Conundrum

- **The aging professoriate presents higher education institutions with practical challenges and threatens the renewal of knowledge.**

In the spring of 2011, *Inside Higher Education* asked college presidents about strategies they would like to use for coping with the economic downturn if political opposition were not a concern. Mandating faculty retirement topped the wish list among leaders of private, nonprofit institutions and ranked near the top among presidents of public colleges.

While presidents may desire mandatory retirement for faculty, it is not realistic. This is because mandatory retirement based on age was eliminated. This is just one way in which our society hasn't yet figured out how to deal with people's increased longevity.

Understandably, older faculty have good reasons for wanting to remain in their roles, not just related to personal benefits but also reflecting their dedication to their field. Yet despite their dedication and positive intent, these individuals often remain in their job well past an age when they can serve students and their institutions effectively.

Practical Challenges

The abolition of mandatory retirement, combined with age discrimination laws, puts institutions in a bind. They can't take action targeted at specific individuals without a great deal of red tape to document that their motives are not discriminatory. Age discrimination lawsuits are contentious, costly, and difficult for institutions to win.

And our legal system makes retirement based on performance extremely difficult and costly—in legal, financial, and human terms. Attempting to document the performance failures of a well-respected scholar is a “fundamentally brutal” process in which no institution wants to engage.

Institutions have concluded that buyout agreements are a preferred route, as they present a less contentious way to convince a respected older faculty member to retire.

But the popularity of buyouts has had unintended consequences: these offers are now so common that faculty feel like suckers if they retire without a buyout agreement. In fact, many faculty actually defer their retirement until a buyout offer materializes. Moreover, sometimes the wrong people—the most productive faculty—accept the incentive.

Those administrators charged with managing budgets view these circumstances as a “retirement tax” that the institution can ill afford in an era of emaciated budgets. And those who are responsible for planning find it difficult to match resources with changing student demands in the absence of a predictable retirement age.

Threats to the Renewal of Knowledge

While budgets and plans are significant challenges, they are not threats to the realization of an institution's long-term vision. Failing to renew knowledge is a threat to that vision, as knowledge is the fundamental product of colleges and universities. Senior faculty can be given development opportunities, but nothing renews knowledge like the power of healthy turnover.

“Knowledge requires renewal. The younger must stream in, the older out. If the older won't stream out as budgets shrink . . . the blockage can be acute. Departments become inbred.”

— Sylvia Manning

Many of today's older faculty members are not only past their most productive years, but they are also past their passion and ability to connect with students.

With an expanding senior professoriate at a time of stagnant or declining resources, this situation has halted

the critical influx of new blood upon which higher education depends.

The Human Perspective

- **Faculty resistance to retiring is not about the money, but a person's identity.**

The thrill of not setting an alarm is short-lived for recent retirees, who often miss the routine of their daily activities. But their major challenge is difficulty forging a new identity. Intellectually, people know that what they do does not define who they are, but emotionally a crater is left by the absence of work. Retired faculty face a huge challenge of understanding themselves outside of the identity forged by their academic role.

"The rhythm and the 'what' of what you do come to define your understanding of who you are."

— Sylvia Manning

For most professors who resist retirement, their lingering is not about the money. Many stay well after they have maxed out the pension that they will receive after retiring. It is true that many have greater financial concerns since the economic downturn, and some are supporting elders or grown children. But for most, the resistance is emotionally based: they see retirement as a chasm and won't venture near enough to look over.

Some people retire with the feeling that they have many more years of productive service to give. But at the other extreme are those who don't leave their posts when they should. "Whatever the solution is," said Dr. Manning, "it cannot in good conscience be that they are allowed to continue as faculty."

What to Do? Attendee Perspectives

- **It is important to re-envision retirement as we know it and provide older faculty with alternatives.**

Dr. Manning offered a few ways that institutions could counter retirees' feelings of disconnectedness and lost sense of purpose and self. Office space cannot always be spared, but email can; the ".edu" is an important symbol of community. Additionally, many retirees are glad to work on a volunteer basis or for a modest stipend. They might advise students, mentor junior faculty, court donors, or even staff phone-a-thons. The returns on such investments can be great.

Attendees also focused on how institutions can best move faculty into retirement when the time has come. Much

advice centered on delivering unwelcome performance messages. When an older professor no longer connects well with students, one possible solution is assigning a junior faculty member as a mentor. That may be embarrassing, but it drives home recognition of the problem.

Unwelcome news should come from a trusted person, said another participant. Often a dean, one degree removed from the department head, can better have the conversation. It was suggested that deans and department heads partner on this task, carefully planning the best way to convey the message in individual circumstances.

One audience member said that colleges and universities need to provide tenured professors with regular, ongoing performance feedback. "We need to provide information that says, 'Here's how you're doing.'" With regular feedback, news of declining performance shouldn't come as a surprise, and there is plenty of documentation to counter allegations of age discrimination.

Also needed is a framework for describing retirement in ways that addresses concerns, both practical and emotional. "We need to say, 'Here's how you'll remain financially secure. Here's how you'll stay socially plugged in.'"

One dean sees the solution as changing perceptions of retirement. "I don't like to use the 'R' word," she said. Her tact is more carrots, fewer sticks. The carrots she envisions would be hugely beneficial on a human and institutional level. Specifically, she is working to found an Institute for Advanced Studies where retired professors can continue their research and other scholarly pursuits. They would attend conferences and hold symposia, showcasing their work. Retired faculty from other institutions would be invited to participate.

The beauty of this plan is that they would no longer need to relinquish the rewarding, prestigious, and self-affirming aspects of their roles: their scholarship or the fellowship of the academic community. The transition would only subtract from their lives (besides full salary) the very duties that many senior faculty want to shed anyway: teaching, serving on committees, etc.

This type of solution wouldn't address the outlier cases of retirement resistance due to financial reasons. But for most, it would be a way to retain their sense of identity, remain in a position of honor, and continue to do what they love.

Preliminary Findings of Sloan-Sponsored Projects on Faculty Retirement

- Moderator: **Claire Van Ummersen**, Senior Adviser, Office of Institutional Services, American Council on Education
- Speakers: **Marc Goulden**, Director of Data Initiatives, University of California, Berkeley
Jean McLaughlin, Senior Program Specialist, Office of Institutional Initiatives, American Council on Education

Overview

Research on faculty aging, work, and retirement is in its infancy. While many colleges and universities track retirement data, few collect information on faculty experiences post-retirement or the impact that low faculty renewal rates have on their institutions, or how large retirement incentive programs affect academic departments. This is the type of relevant information that will shape optimal institutional responses to the challenges of an aging professoriate.

Spearheaded by ACE, funding from the Sloan Foundation is enabling research into the challenges surrounding faculty aging and retirement as well as funding initiatives focused on addressing these challenges. The hope and expectation is that a greater understanding of these issues will point the way to win/win solutions, improving life for individuals and campus communities.

Context

Jean McLaughlin presented data and preliminary findings from ACE's survey of faculty retirement practices at 158 institutions. These findings will help ACE determine the selection criteria for awards programs that recognize institu-

tions' support for culminating stages of faculty careers. Next, Marc Goulden presented data and early analysis of his research into aging, work, and retirement issues among late-career faculty at the University of California.

Key Takeaways

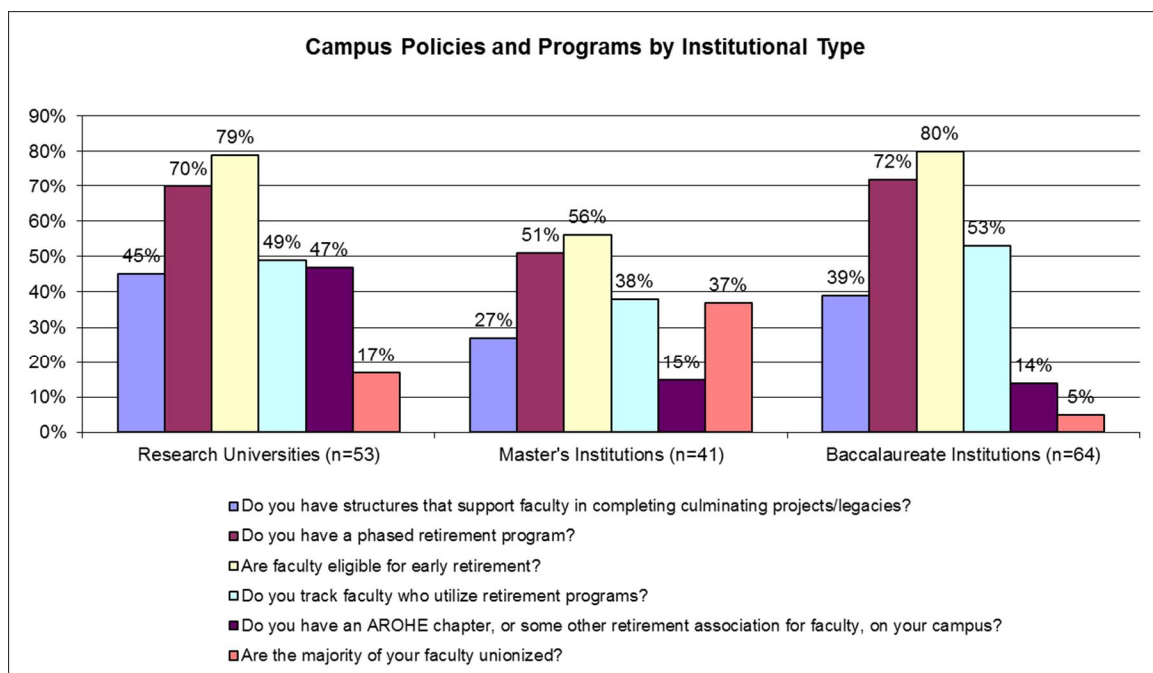
- **Pre-retirement financial planning seminars dominate the landscape of support on campuses.**

ACE invited 1,328 institutions to take its web-based survey on their programs, policies, and other initiatives to support the culminating stages of faculty careers. Of the 158 respondents, 79% identified themselves as chief academic officers, suggesting that faculty retirement is on the minds of academic officers these days.

Liberal arts colleges were the largest responding group (41%), possibly indicating that the problems of faculty retirement loom larger at smaller campuses.

One finding: research universities tend to have more structured retirement programs. Perhaps that is because they tend to be larger and better capitalized. Research institutions reported having more retirement associations for faculty on campus than other institutional types. See Figure 1.

Figure 1



Regarding the phase of transition that is most supported, pre-retirement programs were most prevalent and financial planning seminars the most common type (Figure 2). It is not clear if these programs, typically conducted by external providers, are really the type of programming most needed by faculty anticipating the transition to retirement.

Is retirement a question with which institutions concern themselves? While most respondents said their schools do track faculty retirement, that might mean little more than someone in HR keeping track of separations. Hardly any institutions survey faculty about their experiences with the retirement programs and structures offered. Particularly few do so post-retirement (only 3%).

Aging, Work, and Retirement Among Late-Career Faculty at UC

• **UC Berkeley offers researchers a microcosm for studying issues surrounding faculty in late-stage careers.**

Marc Goulden presented data and analysis on faculty aging, work, and retirement at the University of California (UC). The findings are part of Sloan-funded research.

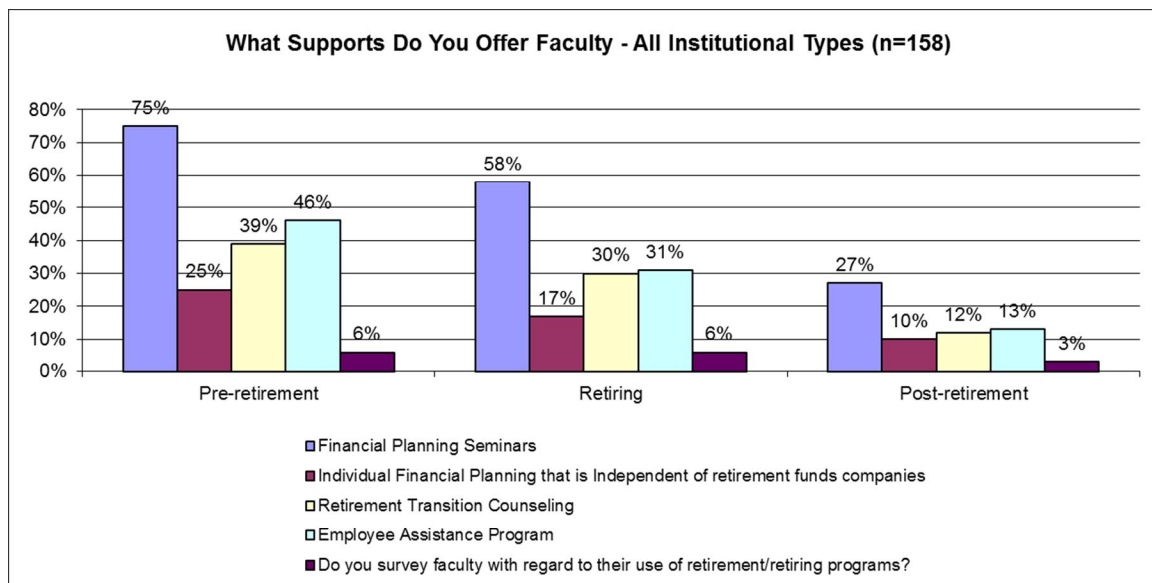
Some highlights of the data presented:

- *UC Berkeley is suffering from lack of faculty renewal.* Younger faculty age brackets have dwindled each year over the past two decades as older brackets have

expanded (except years when retirement incentives disrupted the pattern).

- *The mean and median ages of UC Berkeley faculty have been on the rise; both stand around age 52 today.*
- *Satisfaction with every aspect of their job rises among US Berkeley professors late in careers, i.e. after age 64 (Figure 3).* "If that's the case," said one attendee, "that makes our job even tougher. Dr. Goulden confirmed that high job satisfaction among senior faculty is widespread.
- *The number of hours that faculty work decline sharply late in their careers, from an average of just over 50 hours at most ages to 45 at age 66 and 40 at 68.*
- *Percentages of professors who "live to work" (i.e., those who agree or strongly agree that their main satisfaction in life comes from work) are higher than in the general workforce. The percentages of faculty who live to work rise late in careers. Levels start out high early in careers (up to age 36), take a nosedive during midlife (36–55), then rise again around age 55.*
- *Faculty separation rates in any given year tend to be 3%–4%, except when distorted by "exogenous shocks" such as the three large UC Voluntary Early Retirement Incentive Programs (VERIP I, II, and III) in the early 1990s. These attractive buyouts caused separation rates to surge in the years they were offered, then sink for several years before normalizing again.*

Figure 2

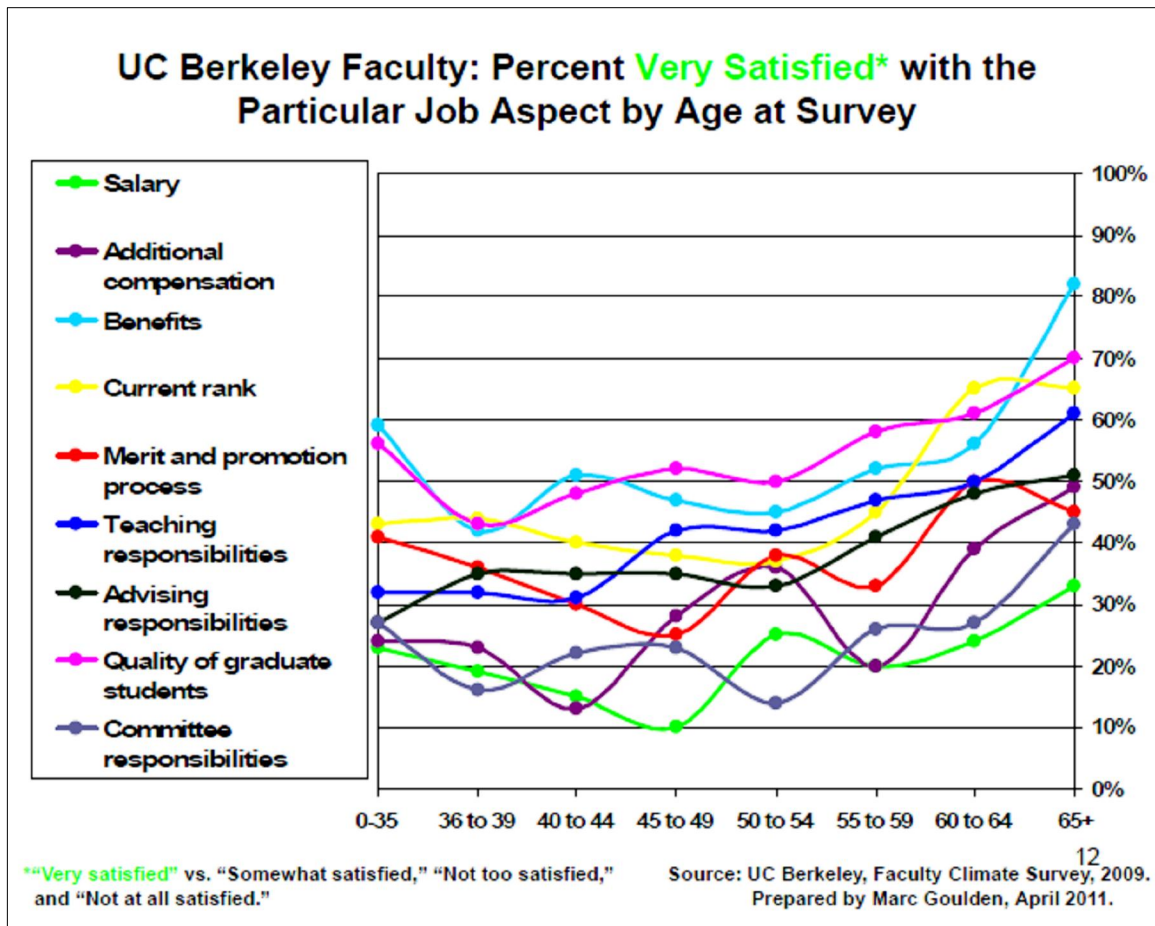


Some of Dr. Goulden's early thoughts about the study's findings:

- *Faculty behavior is hard to control.* "It's like herding cats." Professors have atypical values and concerns relative to the broader U.S. workforce and to other university employees.
- *Even so, generous retirement incentives do work.* The VERIPs programs succeeded in moving large numbers of faculty out of the system, but not without affecting student/faculty ratios and depleting departments.
- *Institutions' ability to capture accrued capital from existing and post-retirement faculty may be an area of importance.* Senior professors are wealthy in accrued capital—e.g., their contacts, knowledge, and expertise. It is not in the best interests of institutions to simply allow this wealth of accrued capital to walk out the door at retirement.

- *There are many ways institutions can tap faculty's accrued capital:* via teaching, lecturing, mentoring, conducting research projects, collaborating, grant funding, cross-pollination of ideas or expertise, collegial interaction, community building, institutional service, making external and internal connections, promoting the institution via positive word of mouth, enhancing branding, sponsoring scholarships, and donating money.
- *These can be win/win deals, benefiting faculty as well as institutions.* The effects on health and well-being that come from volunteering and altruism as well as living a productive life rich with social interactions are well documented.

Figure 3



Panel I: Best Practices and Programs for Faculty Retirement Transitions

- Moderator: **Joan Girgus**, Professor of Psychology, Princeton University
- Panelists: **Sharon Hostler**, McLemore Birdsong Professor of Pediatrics, Senior Associate Dean at the School of Medicine, Vice Provost for Faculty Development, University of Virginia
Steven Poskanzer, President, Carleton College
Gerry Selter, Provost, San José State University

Overview

The context at different institutions results in different ways of dealing with the challenges associated with faculty retirement. A large state institution must have a consistent, well-documented program, while a small liberal arts school may have more flexibility to create scenarios that work for individual faculty members. In each of these situations, institutions are developing effective win/win solutions that help provide retiring faculty members with financial stability and a sense of belonging, while providing the institution with intellectual renewal and cost control. The most effective programs keep faculty members involved with the institution in some way, enabling the institution to benefit from the individual's stature and experience and allowing the individual to continue to contribute in a meaningful way.

Context

Panelists described faculty retirement programs and approaches that work well at their institutions. Attendees contributed additional best practices.

Key Takeaways

- **Institutions face a common set of faculty retirement challenges.**

Colleges and universities face a common set of challenges related to faculty retirement. Institutions need faculty to retire in an orderly succession, to ensure the organization's continual intellectual renewal as well as its financial soundness. They want visibility and predictability, as well as control over the process, but gaining it is a tricky balancing act.

Retirees, besides having financial needs, need to retain a sense of identity to feel satisfied in life. When people are no longer professors, who are they? Even those who willingly retire still need something to take the place of having been a professor for so many years.

- **Win/win solutions that are working well for panelists' institutions may be instructive for others.**

Different institutions face different constraints and challenges as they try to balance the competing issues associated with faculty retirement, including the financial/practical issues as well as the psychological ones.

Large public institutions that are part of state retirement systems, such as California State University (CSU), are

subject to rigid rules governing retirement that are set by unions' collective bargaining agreements. At the other extreme, small liberal arts schools, like Carleton College, may retain total flexibility to craft retirement packages individually.

As for the psychological aspects of retirement transitions, institutions can do much via supportive programming (University of Virginia), policies and practices, and perpetuating a culture of reverence for and engagement of emeriti (Carleton).

Early retirement at San José State

Faculty at San José State (part of the CSU system) are required to participate in California's defined benefit retirement program for state employees, CalPERS. Compensation is determined by a formula that rises with age, multiplied by years of service. At high age and service levels, benefits become increasingly attractive, creating a disincentive to retire. (If Gerry Selter retired now, having just finished his 43rd year of service, he would receive 108% of his salary.)

However, SJSU has created phased retirement programs that encourage early retirement. FERP (Faculty Early Retirement Program, a CSU program) is the most popular, embraced by about 70% of retiring SJSU faculty over the past four years. FERP participants, tenured faculty who are at least 55 years old, can work a reduced load for up to five years, at prorated pay. They are not "marked" in any way, except their lighter schedule; they retain normal departmental duties and experience no discrimination. An anecdotal testament to FERP's success: no one has complaints.

University of Virginia's "Transitions and Changes" program

Sharon Hostler has developed and runs a monthly luncheon discussion program for the entire university community titled "Transitions and Changes." These discussions are typically attended by 35 to 55 faculty members from all 11 of the university's schools.

Professor Hostler invites guests to share their personal retirement and transition-related stories, which provides instructive lessons and illustrates themes. Topics include Life Planning and Values Clarification. The program helped one retired professor decide to open ice cream shops in Asia. Another found fulfillment canning preserves in retirement; yet another began racing cars. Sometimes stories emphasize the challenges in planning given the

uncertainties of life: one couple's plans to travel the world were thwarted by Alzheimer's.

Even young professors are attracted to these life-planning sessions; with reduced salaries during the downturn, some have chosen to leave the university for new careers.

One professor had developed retirement-planning symposiums and taught the group much. After he retired, Dr. Hostler checked in on him. "I'm in crisis by 5 a.m.," he reported. She invited him back to share his experiences.

"It's about listening, respecting, being present with faculty . . . remembering their glory days. We're celebrating transitions and histories . . . sharing dreams and worries and necessary losses. It's a very sweet and productive thing."

— Sharon Hostler

Carleton: A close-knit community's approach

Carleton, like many small liberal arts colleges, is idiosyncratic. It hires only junior faculty, only in tenure-track positions, and professors usually remain for 40 years until they retire. There is a strong, cloistered sense of community and a consultative ethos of faculty governance.

The ramifications of faculty retirement decisions on the college's simple economic structure are huge, as salaries are the budget's biggest expense, representing 42% of the total budget.

But unlike public university systems, Carleton's leaders can deploy resources however they need to. There is no rule that says retired faculty can't be brought back to teach. There are no retirement eligibility limits. Deals are cut individually. "The flexibility is liberating," said Steven Poskanzer, allowing the institution to remain financially nimble. The consultative culture ensures that deals are egalitarian.

Retirement income for faculty members comes from funds that have been gradually accrued in defined contribution plans; faculty are not guaranteed to be protected for life. However, the benefits and privileges of being a faculty member don't cease after retirement. Professors continue to receive \$1,500 per year for professional development activities. They keep their computers, which are serviced, their email accounts, library privileges, and bookstore discounts. They remain on the same mailing lists and are invited to functions, just as before. They may also audit classes. These are inexpensive ways to keep emeriti feeling as integral to the community as they had felt during their prior 40 years. That is how the college wants them to feel, as a post-retirement identity crisis has the potential to be more acute in a small community setting.

The college benefits greatly from these individuals' continued contributions. But beyond issues of benefit, cherishing emeriti is the right thing to do: "They've earned our deference, attention, and care." In a culture that promises faculty continued prestige after retirement, few will drag their feet.

"When you make sure your emeriti are treated well, you reinforce a culture where people naturally make the decision to retire, because they're not giving up what's made them a successful member of the community for so long."

— Steven Poskanzer

Best-practice ideas from panelists and attendees include tapping emeriti for alumni activity roles.

Dr. Poskanzer shared multiple solutions for engaging emeriti in low-cost, high-value ways, and conference attendees supplied even more. Among the suggestions:

- Invite emeriti to every department and social occasion.
- Create a special newsletter for them.
- Consider setting aside library space for them if office space isn't practical.
- Give them the opportunity to teach.
- Include them as part of the team in grant proposals.
- Create retired faculty associations, even if space cannot be spared for it. Don't assign programming to HR; top leaders should be involved.
- Tap emeriti to serve on committees. They can be a source of great wisdom and they know how things work.
- Use emeriti in alumni activities, such as reunions and alumni travel programs. The professors who influenced their lives are the people alumni want to see when they return to campus.
- Retired professors who are willing to fundraise can be excellent at it. Alumni feel good about giving to a cause that a revered professor cares about.
- Provide small amounts of money for professional development, conference attendance, etc.
- Provide social opportunities. A participant who surveyed her small college's retired faculty learned that most would welcome a lunch event to which they could bring their spouses perhaps twice per semester. "They have a powerful desire to stay in touch."
- Allow retirees to pay into the school's health care plan post retirement. Health care benefit concerns may delay retirement for those with younger spouses.
- Purchase and service IT for retired professors so that they can continue their work.

Panel II: Avoiding Income Tax and Age Discrimination Problems in Structuring Faculty Retirement Programs

- Panelists: **Ann Franke**, President, Wise Results, LLC
David Raish, Partner, Ropes & Gray, LLP

Overview

As higher education institutions attempt to manage the faculty retirement process, they face a daunting array of retirement plan and incentive program options. Given the complexities of these options—including legal and tax complexities—no retirement program should be constructed without the involvement of tax and legal experts.

Institutions need to understand the tax and legal implications of their program choices, to protect their business interests and the interests of retiring faculty. The risk of inattention to these matters can be great: even casual remarks or contract language lacking specificity can bring difficulties to an institution.

Context

The panelists provided an overview of approaches to retirement incentive programs, focusing on caveats and best practices for mitigating legal risks.

Key Takeaways

- Faculty retirement incentive programs can expose institutions to legal and other difficulties.**

Several types of faculty retirement programs are common tools used by higher education institutions to affect faculty retirement decisions. These include:

- Individual buyouts
- Phased retirement plans
- Window plans
- Ongoing plans with age caps

If these plans aren't constructed and implemented with awareness of the applicable laws governing age discrimination, retirement plans, and taxes, they can expose institutions to unforeseen risks. The perceptions of inequitable treatment of faculty members, of coercion to retire, or of age discrimination can cause disgruntled faculty members to create dissension on campus or even to sue the institution. Also, inattention to IRS requirements can saddle a retiree with an onerous tax burden in advance of collecting future payouts.

The panelists are experts who specialize in advising institutions on constructing and implementing these programs to avoid negative legal and tax repercussions. In particular, three types of laws can create difficulties for institutions:

- The Age Discrimination in Employment Act (ADEA) and state age discrimination laws
- The Employee Retirement Income Security Act (ERISA)
- Internal Revenue Code

The panelists recommended:

- *Make sure that retirement decisions are voluntary.* The simple statement, "You really ought to think about retirement," landed one higher education institution in court. At issue: whether the statement was a veiled threat or was offered in a friendly vein with the faculty member's best interest at heart. Since an amendment to the ADEA ended mandatory faculty retirement in 1994, all decisions must be purely voluntary and cannot be influenced by coercion in even the slightest way.
- *Use independent third parties to conduct financial-planning workshops.* If workshops are conducted by internal personnel, presenters' statements may be construed as coercive and/or employees may rely on presenters' advice, potentially creating a fiduciary relationship.
- *Birthdays are not occasions to discuss retirement.* Forget the notion of "retirement birthdays"; i.e., those ending in "0" or "5."
- *Ask about someone's retirement plans in the right way.* It is legitimate for administrators to inquire about an individual faculty member's retirement plans, if done in the right ways. The "right ways" include:
 - **Ask a broad range of** people at the same time.
 - **Clarify that the information is sought for institutional planning purposes** and that people will not be held to their responses.
 - **Inquire in writing** so that faculty members can respond at their convenience.

Another caveat concerning individual retirement offers: they can be subject to ERISA, whether created for a single individual or for several. Institutions sometimes create ERISA plans unwittingly and aren't aware that they are subject to ERISA rules and penalties. An attorney who specializes in retirement plans can clarify that issue; consulting one is imperative.

▪ **Window plans present relatively fewer risks and some attractive advantages.**

A popular type of retirement incentive program offers eligible faculty a set window of time during which the decision to retire entitles them to supplemental benefits, such as a lump-sum cash payment. "Window plans" carry benefits to the institution from a risk perspective:

- *No discrimination risk.* Window plans don't have upper age caps, so there is no risk of perceived discrimination based on age.
- *No ERISA.* Window plans are not subject to ERISA if they are constructed properly.
- *Favorable tax treatment.* Lump-sum severance payments are not subject to accelerated tax payments on money not yet received, as deferred compensation can be. While all of the lump-sum money is taxed right away, it is all received right away too.
- *Financial visibility.* These one-time, lump-sum payments, of perhaps one to two times a faculty member's annual salary, allow institutions better visibility into their future retirement-related expenses.

"Consider a time-limited window plan: it's over and done with quickly, avoids most of the legal issues, and isn't so costly."

— David Raish

Faculty usually take advantage of window plans only if they believe the offer is the best that they will get. Administrators must make clear that no future plans are in the offing and stick to that promise to retain credibility.

▪ **Phased retirement plans require carefully constructed contracts to protect the institution.**

Phased plans involve the gradual winding down of responsibilities in a faculty member's years leading up to retirement. Percentages of effort and salary are defined for each year. "Paired phased plans" are a variation. Such plans are "paired" because as a retiring faculty member's responsibilities wind down, a new faculty member's duties simultaneously ramp up to fill the void.

There are relatively few ERISA or tax-related issues with phased retirement plans. Most of the risk comes from how contracts are drafted. Best practices include:

- *Contracts should clearly state when tenure ends.* Faculty may feel more valued if tenure remains in force until their separation. From a legal perspective, Ms. Franke is neutral on when to end tenure, but is adamant that contracts clearly spell out exactly when it ends to avoid any conflicts or misunderstandings.

- *Contracts should clearly state who controls the teaching schedules.* Some institutions have run into trouble with contract language stating that schedules would be set by mutual agreement, only to have a professor later object that teaching a certain semester conflicts with their personal plans.
- *Phased plans should require approval from a provost or dean.* That way, if a specific proposal is not in the institution's current best interests, it can be denied.
- *Contracts should explicitly state that performance standards must be maintained.* There needs to be an "out" clause for the institution in the event that performance-related problems arise during the phase-out years.

Also, whenever deferred compensation is involved it is important to understand the tax concept "risk of forfeiture." Tax law requires that a retiree must pay taxes on money **at the time that he/she becomes eligible to receive it**; not when the money is actually received, assuming that there is no substantial risk of forfeiture of the money. A forfeiture risk would exist if the retiree was required to work to receive the benefit; e.g., under a phased plan.

When there is no substantial risk of forfeiture, the institution can save the faculty member from an onerous tax burden by making the initial payment large enough to cover the retiree's tax tab.

▪ **With age-based retirement plans, discrimination risk is avoided with safe harbors.**

Typical age-based retirement plans offer larger lump-sum payments to those in younger age brackets and set an upper age limit. Institutions with these plans are protected from allegations of age discrimination by a 1998 ADEA amendment creating a "safe harbor." To qualify for the safe harbor, a program must be designed so that no tenured, plan-eligible professor is too old to have had at least one opportunity to receive the maximum benefit. This is also referred to as the "one-bite" rule; everyone is entitled to at least "one bite of the apple."

Other Important Points

- **Further Information.** For more extensive coverage of legal issues related to retirement plans, see the ACE report *Supporting the Culminating States of Faculty Careers: Legal Issues*, written by Ms. Franke and available from the Invitational Conference page of ACE's website. Also see the National Association of College and University Attorneys report co-written by Mr. Raish, *Faculty Retirement Incentives*.



Panel III: Nuts and Bolts of Faculty Retirement Transitions: Before, During, and After

- Moderator: **Joan Girgus**, Professor of Psychology, Princeton University
- Panelists: **Patrick Cullinane**, Director, UCB Retirement Center, University of California, Berkeley
Rodney Henshaw, Dean of Cowles Library, Drake University
Joan Merdinger, Associate Vice President for Faculty Affairs, San José State University

Overview

Universities and colleges are launching innovative initiatives to support and engage retirees, current and prospective. Innovations are coming from multiple areas:

- At San José State, the Office of Faculty Affairs has launched a much-valued online calculator to help professors privately evaluate options to reduce their workload and compensation as they ready for retirement.
- Drake University's library is capturing the stories of retired professors digitally in a "living and learning" oral history project that is integrated with other library resources.
- UC Berkeley's Retirement Center has numerous programs to support, honor, and engage emeriti as well as prepare faculty for the next stage of life. The Center encourages emeriti to continue to share their wisdom and knowledge with the campus community long after their retirement.

Context

In case study fashion, the panelists described retirement-focused programs that they have spearheaded. They explained the impetus behind these programs, what the programs have achieved, and how they work.

Key Takeaways

- **San José State University's online calculator allows faculty to confidentially weigh their pre-retirement work-reduction options.**

There are two options for eligible faculty of the California State University (CSU) system who want a reduced workload prior to fully retiring. These options are part of the collective bargaining agreement between CSU and faculty. With both programs, professors retain tenure status.

- *FERP*. Under the Faculty Early Retirement Program (FERP), a professor officially retires, receives benefits from CalPERS, and continues to teach at a reduced level for five years. There are various options for workload-reduction levels, associated with commensurate reductions in pay.
- *PRTB*. Under the Pre-Retirement Reduction in Time Base (PRTB) plan, a faculty member does not retire. Their salary, reduced commensurately with their workload reduction, comes from CSU, not CalPERS. An

attractive feature is that full service credits are earned despite the reduced class load.

San José State University (SJSU) faculty understand the details of the FERP plan, which averages 15–25 applicants a year. PRTB receives far less interest (just 1 or 2 applicants annually). It is not that people don't realize that PRTB exists; the problem stems from difficulty determining which of the two options is more advantageous over the long term. Anecdotal stories were all people had to go on until recently, since doing the math isn't easy.

With part of the Sloan Foundation grant that SJSU received as a winner of ACE's 2008 Faculty Career Flexibility Award, SJSU's Office for Faculty Affairs has created a calculator to compare payouts under the two programs. The calculator is on the SJSU website, where faculty can explore their options in private. A SJSU finance professor designed a sophisticated algorithm that calculates the financial ramifications of each plan in customized scenarios.

The calculator is as simple to use as a mortgage calculator. It asks for the relevant data and then does the math. Its launch was very well received. From its March 2011 debut through June 2011, the calculator received more than 1,000 hits. (Check it out at <http://www.sjsu.edu/facultyaffairs/ACE-Sloan/ThePRTB-FERPCalculator/calculator/index.html>.)

Now faculty who are even just considering the idea of a reduced workload can learn how their financial picture would be altered under each of the programs. The ability to use this calculator in the privacy of their own homes is highly welcome.

"The calculator allows faculty to compare options in a very confidential manner, an important goal of our project."

— Joan Merdinger

- **Drake is sustaining institutional memory, community, and learning by recording retired professors' oral histories.**

Drake University's Cowles Library is preserving the memory and legacy of its faculty through an innovative oral history program. It is part of a broader library initiative, the Drake Heritage Collections, to collect, digitize, and preserve important records and stories of Drake University's 125-year history in multiple media

forms. (Learn more about the Drake Heritage Collections at <http://www.lib.drake.edu/heritage>. Listen to an oral history at <http://vimeo.com/album/1624154>.)

The oral history program, inspired by Ray Bradbury's essay collection, *Yestermorrow*, creates value for the institution by capturing faculty's experiences and knowledge that preserve their legacies. There is an effort to include students, building bridges between the generations. In first-year seminars, students are trained in oral history techniques and help create the archives.

The digitized content is linked and indexed to all of the library's scholarly information, and is accessible through search engines on the library's website. Students searching for information on Margaret Mead, for example, will find Professor Ronald Troyer discussing how some of her practices were discredited.

The project is a true living and learning experience for faculty and students. Next steps include promotion and awareness initiatives, with a series of events that will draw in alumni. These events will help sustain the community, legacy, and culture of the institution.

Some tips for other institutions interested in such a project:

- *Commitment.* There must be institutional commitment at high levels. Drake's president and provost are strong supporters.
- *Training.* Certification in oral history is critical. Also important are training in active learning and proficiency in digital environments.
- *Technology.* Technology poses no barrier; off-the-shelf technology works fine. Drake also used enterprise-level tools including MIT's DSpace, and OCLC's CONTENTdm.

"Drake University is preserving the legacy of its faculty and building community, linking in teaching and learning with that as well."

— Rodney Henshaw

▪ **UCB Retirement Center is strengthening retiree bonds to the university and providing opportunities to share their wisdom.**

The UCB Retirement Center, with a 15-year history, is focused on building and maintaining the bond between UC Berkeley and its retirees. Its mission is to develop programs and services that contribute to the well-being and creativity of retired faculty, staff, and their families, and to support the UC community. thecenter.berkeley.edu/

There are 11,800 retired faculty and staff in the UC Berkeley community, 70% living within driving distance. About 9% are professor emeriti. Connecting, engaging, and honoring emeriti allow the university to continue benefiting from their wisdom, talent, and knowledge after they retire.

The Center serves with a variety of campus associations and committees that offer opportunities for emeriti to stay connected to campus life. The very active Emeriti Association holds luncheons for emeriti to stay connected, hosts a lecture series, runs a mentoring program, and has an Emeritus of the Year award. The Association also ensures that the continued teaching, research, and mentoring activities of retired professors are captured in the university-wide bio-bibliography survey. The Council of UC Emeriti Associations works closely with the Office of the President; Council representatives serve on task forces and are tapped for perspectives and recommendations.

The Center also has an extensive Pre-Retirement Planning Program, established in recognition that people who are approaching retirement need more than just typical benefits-focused workshops; they also need information that addresses the bigger issues about entering a new phase of life. This program includes sessions on topics such as a Redirected Life, Wellness, Financial Planning, Work Life Transitions, Social Security, and Housing. A much-appreciated session is a Retiree Panel where emeriti and retired staff talk about their retirements. They discuss what they had expected retirement to be like, how they planned for it, and what they actually experienced.

Receiving regular feedback from program participants and the retiree community at large is important to the Center, which periodically conducts surveys to inform programing initiatives and continually improve its services.

There is an excellent national organization for campus retirement centers, the Association of Retirement Organizations in Higher Education (AROHE), which Patrick Cullinane encourages other colleges and universities to consider joining. Members meet biannually to share ideas.

"The last thing I'll share is a wonderful comment from a professor emeritus: 'You are treasures who work so hard on behalf of our enjoyment and special interests.' To which I respond, 'We are honored by our work with you.'"

— Patrick Cullinane

Biographies

Opening Welcome

Kathleen Christensen, Program Officer, Workplace, Work Force, and Working Families, *Alfred P. Sloan Foundation*



Kathleen Christensen founded and directs the Workplace, Work Force, and Working Families program at the Alfred P. Sloan Foundation in New York City. Under her leadership, the program played a vital role in developing work-family scholarship and in supporting effective workplaces that meet the needs of working parents and older workers. Stemming from Christensen's direction and strategic grant making, a growing social movement is now underway to make workplace flexibility an American workplace standard that meets the needs of the work force and effectively advances business objectives.

Christensen currently guides the foundation's new Working Longer program. Through her efforts, the program is focused on understanding the issues facing older workers across industries, including higher education. She is identifying high-value research opportunities and engaging a network of scholars on such aging and work issues as the individual and institutional factors that go into the decision to work longer, employment patterns pre- and post-retirement, and the impediments posed by public policy or employer practices to working beyond conventional retirement age.

Christensen has published extensively on the changing nature of work and its relationship to the family. Her most recent book is *Workplace Flexibility: Realigning 20th Century Jobs for a 21st Century Workforce* (Cornell University Press, 2010).

Before joining the Sloan Foundation, Christensen was a professor of psychology at the graduate center of the City University of New York. She received her doctorate from the Pennsylvania State University, where she was a Danforth Fellow, as well as a National Endowment for the Humanities Fellow.

Framing the Discussion Faculty Retirement and Institutional Response

Sylvia Manning, President, *Higher Learning Commission*



Sylvia Manning has served as president of The Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools since July 1, 2008.

She came to the HLC from eight years as chancellor at the University of Illinois at Chicago, where she focused on advancing the education of 25,000

extraordinarily diverse students, a rapidly expanding research portfolio, a full-spectrum healthcare enterprise, and extensive urban engagement. During that period the campus developed 50 acres of student residences, retail establishments, and private housing and doubled its research expenditures. Prior to that, as vice president for academic affairs for the University of Illinois, she prepared the university budget, fostered inter-campus collaborations, and created the University of Illinois Online. From 1975 to 1994 she served as associate director of the Center for the Humanities, director of Freshman Writing, chair of the English Department, vice provost for undergraduate studies, and executive vice provost at the University of Southern California. She began her academic career as a teacher and scholar of British Victorian literature at what is today the California State University, East Bay.

Her recent public service positions include membership on the board of directors for the Noble Network of Charter Schools in Chicago, co-chair of the mayor's Chicago Green Ribbon Committee, and trustee of The Poetry Foundation.

Manning holds a BA from McGill University, an MA and PhD in English language and literature from Yale University, and an honorary doctor of humane letters from Northeastern University.

Preliminary Findings of Sloan-Sponsored Projects on Faculty Retirement

Claire Van Ummersen (Moderator), Senior Advisor, Office of Institutional Services, *American Council on Education*



As senior advisor to the Office of Institutional Initiatives at the American Council on Education (ACE), Claire Van Ummersen is developing a new service to provide capacity building resources for new presidents to insure their success. In addition, she serves as director of the ACE/Sloan Partnership.

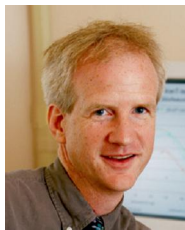
From 2005 to 2010, Van Ummersen served as vice president of ACE's Center for Effective Leadership, with responsibility for leadership development programs for higher education administrators and other grant initiatives on key higher education issues. From 2001 to 2005, as vice president and director of the Office of Women in Higher Education, she was responsible for setting national agendas to support the advancement of women leaders and state networks, which operate to identify emerging leaders.

Van Ummersen is president emerita of Cleveland State University, having served as president from 1993 to 2001. From 1986 to 1992, she was chancellor of the University System of New Hampshire (USNH), which served 29,000 students with a \$300 million operating budget. From 1981 to

1986, she served with the Massachusetts Board of Regents of Higher Education. Her positions included vice chancellor for management systems and telecommunications and associate vice chancellor for academic affairs. At the University of Massachusetts, Van Ummersen served as assistant professor, then associate professor of biology and later served as graduate program director for biology, associate dean for academic affairs, and associate provost and vice chancellor for academic affairs. Her tenure at UMass culminated in her appointment as interim chancellor.

Van Ummersen earned her BS, summa cum laude, as well as an MS and a PhD from Tufts University. She has been awarded two honorary doctor of science degrees, from the University of Massachusetts in 1988 and the University of Maine in 1991, and two doctor of humane letters degrees one from the University of New England in 2005 and one from USNH in 2010. She is a member of Phi Beta Kappa and Sigma Xi honorary societies.

Marc Goulden, Director of Data Initiatives, *University of California, Berkeley*



Marc Goulden studies career-life experiences and equity issues among academics. He has a PhD from the University of Wisconsin, Madison (1995), with a focus on the diversity and life course of students and faculty in college and university settings. He is the director of data initiatives, academic affairs, at the University of California, Berkeley, and conducts a great deal of institutional research and policy analysis in support of the campus and the system.

His best known work has been with Mary Ann Mason on the *Do Babies Matter* and *UC Family Friendly Edge* projects (see <http://ucfamilyedge.berkeley.edu>). Using data from the Survey of Doctorate Recipients (SDR) and other sources, Goulden and Mason have examined the relationship between gender, family, and career outcomes in academia. With funding support from the Alfred P. Sloan Foundation, they, along with Angelica Stacy and others, developed a set of family friendly policy and program recommendations aimed at giving the University of California a competitive advantage. Since this effort, a number of institutions around the country have adopted similar initiatives.

Building upon these two earlier projects and again with the support of the Alfred P. Sloan Foundation, Goulden, Mason, and Karie Frasch turned to an examination of the role of federal funding in the academic careers of U.S. graduate students, postdoctoral fellows, soft-money researchers, and faculty. This effort culminated in the release of a well-received report titled, "Staying Competitive: Patching America's Leaky Pipeline in the Sciences," published by the Center for American Progress.

Most recently, Goulden has begun a new study with others (David Card, Karie Frasch, Angelica Stacy, and Sheldon

Zedek) on late-career faculty, "Aging, Work, and Retirement among Late-Career Faculty at the University of California." This research project, which is generously supported by the Alfred P. Sloan Foundation, will include a number of component parts and should result in findings that can help inform policy initiatives within and outside the UC system.

Taken as a whole, these various research projects have resulted in a number of papers and policy initiatives that have received considerable attention; and the *Chronicle of Higher Education* profiled Goulden in 2005 as one of *Higher Education's Next Generation of Thinkers*.

Jean McLaughlin, Senior Program Specialist, Office of Institutional Initiatives, *American Council on Education*



Jean McLaughlin is a senior program specialist in the Office of Institutional Initiatives at the American Council on Education (ACE), where she has worked since 2006. She administers the application process for the grants competition for the Alfred P. Sloan Faculty Career Flexibility Projects at ACE, and coordinates ongoing assessment of the winning institutions.

Prior to coming to ACE, McLaughlin worked on career development issues for women in academic medicine, coordinating research activities with the Executive Leadership in Academic Medicine (ELAM) program at Drexel University. This position was housed at the Center for Educational Leadership and Transformation at The George Washington University (GWU) through a Robert Wood Johnson grant held by the ELAM program.

From 2003 to 2005, McLaughlin was an assistant director at the GWU Graduate Career Management Center, managing the curricular practical training of all graduate international business students under post-9/11 regulations. This position required working with the provost's office, office of international students, and the registrar over the course of two years to be in compliance with federal guidelines. Before working at GWU, she was an instructor in the Robert H. Smith School of Business at the University of Maryland for four years, teaching career management strategies to undergraduate business students. At Maryland, she developed innovative programs designed to help graduate and undergraduate business students be successful in recruiting and job hunting.

McLaughlin received a BA in art history from The Catholic University of America, a master's degree in counseling and personnel services from the University of Maryland, and has completed all but her dissertation in the doctoral program in higher education administration from The George Washington University. She is published in *Academic Medicine* and the *Journal of Dental Education*, and co-authored a book chapter in *Establishing the Family-Friendly Campus: Models for Effective Practice*. McLaughlin also has consulted with Lee Hecht Harrison working with business students. She is certified in the Myers-Briggs training, and is a National Certified Counselor.



Panel I: Best Practices and Programs for Faculty Retirement Transitions

Joan Girgus (Moderator), Professor of Psychology, Princeton University



Joan Girgus is currently at Princeton University where she is a professor of psychology and special assistant to the dean of the faculty for diversity issues with an emphasis on women faculty and making Princeton a more family-friendly university. In recent years, her work with the dean of the faculty has been extended to include the transition

of faculty into retirement. She has also served as dean of the college and chair of the Psychology Department at Princeton. Prior to coming to Princeton, she served as a faculty member and dean at the City College of the City University of New York.

Girgus has done research and written books and papers on perception and perceptual development, the transition from childhood to adolescence, the psychosocial bases of depression, and sensitivity to interpersonal feedback. She has also written papers on undergraduate science education, on women in science, and on making universities more family-friendly organizations. She is one of the principals of The Learning Alliance, the first just-in-time provider of strategic expertise to college and university leaders. From 1987–99, she directed the Pew Science Program, a national program to improve undergraduate science education sponsored by the Pew Charitable Trusts.

Girgus is currently a trustee of Adelphi University, the Wenner-Gren Foundation, and McCarter Theatre. She has also served as a trustee of the American Association of Higher Education (AAHE) and Sarah Lawrence College. Girgus received her BA from Sarah Lawrence College and both her MA and PhD from the Graduate Faculty of the New School for Social Research in New York City.

Sharon Hostler, McLemore Birdsong Professor of Pediatrics, Senior Associate Dean at the School of Medicine, Vice Provost for Faculty Development, *University of Virginia*



Sharon Hostler is the McLemore Birdsong Professor of Pediatrics, senior associate dean at the School of Medicine, and vice provost for faculty development for the University of Virginia. A native of Vermont, she received her BA from Middlebury College and MD from the University of Vermont. She then completed her residency training in

pediatrics and fellowship in hematology-oncology at the University of Virginia. Hostler joined the faculty of the university in 1970.

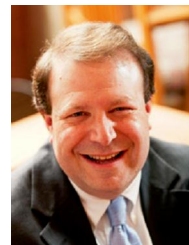
Hostler's faculty career as a clinician educator at the University of Virginia has focused on children with cancer;

outreach to rural, underserved children (medical director of the Children and Youth Project); transition tasks of adolescents with chronic illness and developmental disabilities (division chief of Developmental Pediatrics); outcomes of adolescents with severe head injury and spinal cord injury (medical director of the Kluge Children's Rehabilitation Center); the status of women students, housestaff, and faculty (chair of the Committee on Women); the implementation of family centered care in academic medical centers; and the development of men and women faculty (chair of the School of Medicine Promotion and Tenure Committee). She has served as a visiting professor at schools throughout the United States, Canada, Israel, Costa Rica, and Italy.

Hostler has been nationally recognized for her work in developmental pediatrics as the Association for the Care of Children in Hospitals' T. Barry Brazelton Lecturer and the Pele Chandler Lecturer. The 1990 Status of Women Report at the University of Virginia resulted in major restructuring of promotion and tenure guidelines, faculty development and academic reviews, as well as providing a model assessment process for other medical schools. She received the Women in Medicine Leadership Award from the Association of American Medical Colleges in 1994 for her work with promotion and tenure, and again in 2007 for the Faculty Leadership Program. She has been recognized by Middlebury College and the University of Vermont as an outstanding alumna and received the Walter Reed Award from the University of Virginia School of Medicine Alumni Association, among other university honors.

As senior associate dean for faculty development, Hostler created a Faculty Leadership Program reflecting faculty needs from first entering academic medicine to mid-career leadership development to chair on-boarding, including an Academy of Distinguished Educators, Reflective Writing Program, an online literary journal, and the popular Transitions and Change Seminars. In 2000, the School of Medicine created a Sharon L. Hostler Award which is presented annually to a faculty member in recognition of exemplary leadership. Hostler continues as a mentor of women faculty throughout the university and nationally through the AAMC and the Executive Leadership in Academic Medicine Program sponsored by Drexel University. In 2008, Hostler received the coveted Thomas Jefferson Award—the highest award given by the University of Virginia.

Steven Poskanzer, President, *Carleton College*



Steven G. Poskanzer was named Carleton's 11th president on April 23, 2010, and assumed his new post on August 2, 2010.

Formerly the president at the State University of New York (SUNY) at New Paltz, Poskanzer is a 1980 *cum laude* graduate of Princeton University, and he earned a JD degree from Harvard University in 1983. He



served for the past 12 years in the SUNY system, the New York state system of higher education that encompasses 64 campuses. He held associate and senior associate provost positions in the main SUNY office, the final two years as head of the office of academic affairs. He became vice provost for academic affairs in 2000 before moving to the SUNY–New Paltz campus in October 2001 as that institution’s president, serving first on an interim basis until being named permanently to the position in 2003.

Prior to his SUNY stint, Poskanzer served for four years as the executive assistant to the president at the University of Chicago, and before that as associate general counsel at the University of Pennsylvania.

Poskanzer’s time at SUNY–New Paltz was marked by a visible transformation, as the institution doubled the number of students that come from the highest selectivity category, retention rates increased dramatically, as did the number of full-time faculty members. In 2008 *Newsweek* magazine named SUNY–New Paltz as the “Hottest Small State School” in America.

Gerry Selter, Provost, *San José State University*



Gerry Selter received his BS in chemistry from Wayne State University in 1962, and his PhD in 1967 from Washington State University. After receiving his PhD, he did postdoctoral work at the University of California, Berkeley from 1966 to 1968 where he also was appointed lecturer in chemistry for the 1967–68 academic year. In the fall of 1968, he joined the faculty of San José State University where he taught organic chemistry and conducted research in the general areas of the transmission of electrical effects in reaction intermediates, and the relationships between substrate reactivity and intrinsic solvent properties in solvent induced organic reactions. After serving briefly as acting chemistry department chair, he became interim associate dean, then interim dean in the College of Science during the 1993–94 academic year. In July 1994 he was appointed dean of the College of Science, a position he held for 11 years. In January 2005, Selter joined Office of the President and the university’s senior staff as executive assistant to the president. In July 2009, he was appointed as interim provost; and in December 2009, after a national search, he was appointed as provost and vice president for academic affairs.

In his capacity as provost and chief academic officer, Selter provides leadership to the division of academic affairs at San José State University which includes seven colleges (Applied Sciences and the Arts, Business, Education, Engineering, Humanities and the Arts, Science, and Social Sciences), the university library, and administrative offices such as Undergraduate Studies, Graduate Studies and Research, International and Extended Studies, Institutional Research, Faculty Affairs, Academic Technology, SJSU Research Foundation, and the newly formed, Student Academic Success Services.

Panel II: Avoiding Income Tax and Age Discrimination Problems in Structuring Faculty Retirement Programs

Ann Franke, President, *Wise Results, LLC*



Ann H. Franke, Esq., consults on legal and risk management issues facing higher education. She works with colleges and universities nationwide, both on-site and remotely.

Franke began her career in higher education law in 1982, when she joined the staff of the American Association of University Professors (AAUP). Over the course of 15 years with AAUP, she filed many amicus curiae briefs in important higher education cases and contributed to the development of AAUP policies and reports. She regularly advised the association’s governing bodies and handled projects of national significance including, among many others, proceedings before the SEC to compel TIAA-CREF to permit investors to transfer their funds to other investment companies. She earned tenure at AAUP after a rigorous internal and external review.

In 1997, Franke joined United Educators Insurance (UE). She led UE’s risk management department, served on the senior management team, and rose to the post of vice president for national issues and chief knowledge officer.

In 2005, Franke began her consulting practice. Her major clients are educational institutions—both large and small—and associations. Her engagements have included revisions to faculty and student policies, an academic freedom project funded by the Ford Foundation, management of a client’s year-long federal audit, and expert testimony. She serves as outside counsel to a specialized graduate-level institute. She has advised universities on governance and organizational development, conducted internal training, and evaluated the academic support services for student-athletes in a Division I program.

Franke gives many presentations annually for campus, regional, and national audiences. Media sources quoting her opinions have included the *Boston Globe*, *Washington Post*, *New York Times*, *USA Today*, and BBC radio. She writes on topics including academic freedom, employment issues, risk management, and student affairs. At the behest of organizations including the American Council on Education and the NCAA, she has authored three major national reports on legal and safety topics. She has also edited a compendium of campus discrimination training materials.

The National Association of College and University Attorneys named Franke a fellow in 2005 for her distinguished contributions to higher education law. In 2011, she received the Facilitator Award from the National Center for Excellence in Higher Education Law and Policy, at the Stetson College of Law. During a sabbatical from AAUP, she received a Fulbright



senior scholar award to study the development of Australian private universities. Franke earned her bachelor's (*magna cum laude*), master's, and law degrees from the University of Pennsylvania and has a master of laws from Georgetown University. She is based in Washington, DC.

David Raish, Partner, *Ropes & Gray, LLP*



David Raish, a partner at Ropes & Gray since 1982, has concentrated in retirement plans, deferred compensation, and other employee benefit matters for over 25 years. From 1990 to 2001, he was the head of Ropes & Gray's Employee Benefits Department. While Raish represents a broad range of clients, the primary focus of his work has been tax-exempt employers, including universities and health-care organizations.

Raish is a frequent speaker for American Law Institute-American Bar Association, and planning co-chair for its annual program on benefit plans of tax-exempt and governmental employers. He is a member, former council director, and vice chair of the American Bar Association, Tax Section, and a member of the Boston Bar Association, Tax Section. Raish is also a former trustee of the Winsor School. His clerkship was with the Honorable James R. Browning, U.S. Court of Appeals for the Ninth Circuit (1973-74). Raish has been listed on *The Best Lawyers in America* (1987-2011); *Chambers USA: America's Leading Lawyers or Business* (2006-10); and *Massachusetts Super Lawyers* (2004-09).

Raish received his BA from Yale University and his JD from Harvard Law School, where he was the editor of the *Harvard Law Review*.

Panel III: Nuts and Bolts of Faculty Retirement Transitions: Before, During, and After

Joan Girgus (Moderator), Professor of Psychology, *Princeton University*

See Biography under Panel I: Best Practices and Programs for Faculty Retirement Transitions

Patrick Cullinane, Director, UCB Retirement Center, *University of California, Berkeley*



Patrick Cullinane has been active in community health development for over 40 years, including the following activities: community mental health development program; comprehensive health systems planning; service on the Illinois legislature's joint committee on implementation of a statewide network of detoxification facilities, later chairing the state advisory council; developing Illinois's first care coordination unit for 2,000 frail elders to allow them to remain safely at home; at the American Society on Aging

(ASA), contributing author to *The Blues: Not a Normal Part of Aging* and developer of ASA's CD-ROM on late-life depression and suicide; and director of a SAMHSA/CSAP inaugural study of a brief alcohol prevention intervention with at risk older drinkers in traditional aging network settings.

Cullinane directed ASA's national civic engagement program, which leverages educational resources to expand the knowledge and activity of ASA members and other professionals in work with older adults to recognize and support older adults' capacity for continued growth and value in addressing agency and community needs. He also directed the Alcohol and Other Drugs and Problem Gambling and aging training contracts for the California Department of Alcohol and Drugs, and chaired the Aging Workgroup of the Older Californian Traffic Safety Task Force. He was the staff liaison to ASA's constituent groups, the Forum on Religion, Spirituality and Aging and the Lifetime Education and Renewal Network.

He is a past president of the board of trustees for the Unitarian Universalist Church of Berkeley. Cullinane currently serves on the Coordinating Council of Age4Action, a national collaborative focused on tapping the talents and resources of the 50+ population in work, service, learning, and leadership; the board of trustees of the Strawberry Creek Lodge in Berkeley; the senior advisory committee of Kaiser Hospital Oakland; and the Health and Aging Network Advisory Committee of the UCB School of Public Health.

Cullinane has a master's degree in community development from Southern Illinois University and a bachelor's degree in psychology from St. Louis University.

Rodney Henshaw, Dean of Cowles Library, *Drake University*



Rodney Henshaw is currently dean of Drake University's Cowles Library. He brings a dynamic approach to library service and has advanced a triad of programs framed around knowledge resources, information literacy, and the library as cultural center—all linked through a dynamic set of digital tools and resources. He has extensive experience in assessment in higher education and libraries, and co-chaired Drake University's self-study committee, "Acquisition, Discovery and Application of Knowledge."

Among his many significant accomplishments at Drake are: development of the Drake digital library; renovation of the grand Reading Room; creation of the Collier Center for Drake Heritage; and institution of the library faculty collaboration model—including development of library Information Literacy program. He was also instrumental in the development of the diversity program, including the digital resource center, and



the service quality survey and continuous improvement program.

Henshaw graduated with a BA in 1974 and an MLS in 1976, both from North Texas State. He has had library leadership positions at Emory University and the Pennsylvania State University. He is a member of the American Library Association; Association of College and Research Libraries; Iowa Library Association; and Library Administration and Management Association (LAMA). At LAMA, Henshaw has served as chair of the Program Committee, co-chair of the LAMA/LITA National Institute, and chair of the LAMA 2002 Leadership Institute. He was the recipient of LAMA's 2004 Leadership Award. He served as president of the Iowa Private Academic Libraries Group during 2010–11.

Henshaw has authored many publications, including: "Securing the High Ground: Strategies and Technologies for a Comprehensive Assessment Program," presented at 2008 EDUCAUSE Midwest Regional Conference, March 2008 in Chicago; "Millennials: Implications for 21st Century Library Service," presented at the 2006 IPAL Annual Conference; "The Drake University Digital Repository Initiative: A Case Study of the Library as a Campus-Wide Enterprise," presented at the 4th Academic Library Symposium in 2004; "A New Era of Strategic Partnerships," presented at the 2003 Sirsi Executive Conference; and "Sustaining Our Leading Edge—An Interview with Robert Martin, Director of the Institute of Museum and Library Services." *Library Administration & Management* 16 (4):179-180 (2002).

Joan Merdinger, Associate Vice President for Faculty Affairs, *San José State University*



Joan Merdinger received her AB from Wellesley College in 1970, her MS from Simmons College School of Social Work in 1972, and her DSW from the University of Pennsylvania School of Social Work in 1980. Merdinger was employed at Massachusetts General Hospital as an in-patient medical and in-patient psychiatric social worker from 1972 to 1975. In 1977, Merdinger joined the faculty at Rhode Island College School of Social Work where she was tenured and promoted to the rank of associate professor. Merdinger joined the faculty in the College of Social Work at San José State University (SJSU) in 1986. She was promoted to the rank of professor in 1993. Her research areas include: social work education, socialization into professions, child welfare, and, most recently, foster youth and college attendance.

Merdinger served as MSW program director from 1997 to 2001, and as associate dean of the College of Social Work at SJSU from 1998 to 2000. In 2001, she was named associate dean of faculty affairs, and in 2006 she was appointed to the position of associate vice president for faculty affairs. As a direct report to the provost, Merdinger provides oversight and interpretation of the collective bargaining agreement between the California Faculty Association and the California State University for the campus. She has oversight for faculty appointments, retention, tenure, and promotion, and all processes that include faculty employees. From 2008 to 2010 Merdinger served as the principal investigator for the ACE/Sloan Faculty Career Flexibility Accelerator Award for SJSU, one of six such awards administered by the American Council on Education and funded the Alfred P. Sloan Foundation.

